



Bob Potter Leisure Limited

Wharf Road, Frimley Green, Camberley, Surrey GU16 6PT
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Website: www.lakesidesurrey.co.uk

BOB POTTER LEISURE LIMITED.

APPLICATION TO LICENCE THE WATER'S EDGE,

(The Licensing Act 2003 s.17)

MYTCHETT ROAD, MYTCHETT, SURREY. GU16 6AG.

(APPLICANTS: ROBERT RONALD POTTER, OBE. and JOANNE DAPHNE POTTER.)

SUPPORTING DOCUMENTATION AGAINST THE REPRESENTATIONS.

(The Licensing Act 2003 (Hearings) Regulations 2005 s.16)

PRESENTED TO THE LICENSING SUB-COMMITTEE HEARING

HELD AT SURREY HEATH BOROUGH COUNCIL OFFICES

AT

10.00am. ON TUESDAY 14th. JANUARY 2014.

THE WATER'S EDGE, MYTCHETT.

TABLE OF CONTENTS.

1. Brief history of the site.
2. Profile of the Licensees.
3. Plan of the Premises.
4. Copy of Planning Approval.
5. Copy of Building Regulation Approval for Visitor Centre.
6. Copies of objections.
7. Response to the Responsible Authority's Representations.
8. Applicants Annotated replies to the Executive Head of Community's Objections and Representations.
9. Letter confirming withdrawal of the contact sport requirement and outside hours correction.
10. Guidance on Noise at Work Regulations 2005 from HSE and table showing everyday activity Noise Levels.

THE WATER'S EDGE, MYTCHETT.

BRIEF HISTORY OF THE SITE.

Following the second World War the Mytchett area became a military outpost from the main Army Headquarters hub of Aldershot – a role it has continued to play to present day – albeit on a much reduced scale. But throughout the war, when Rudolph Hess was held captive in Mytchett Place, right up to the ending of conscription in 1960 the whole area had become a dormitory for professional soldiers and for ex-military personnel.

With the post-war building boom former open areas of poor quality arable land began to be excavated in the search for materials which could be used locally to help in the overall grand plan. The land which now forms The Water's Edge was one such bit of property and some time in the 1950's exploratory digging took place on certain parts of the site to find out whether or not sand or gravel could be excavated that was suitable for screening and building use. The remains of the excavations and extraction of materials have left the lake areas which can be seen to-day. Fortunately, following several years of industrialised batching the site became uneconomic and was abandoned.

In the late 1960's and early 1970's the land became unproductive until it was decided that the massive holes left by the previous owner would become convenient depositories for waste and landfill. In fact, the main part of the site, was made more derelict as time went by and people found it a useful local tip.

Mr. Potter was the adjoining landowner and in the late 1980's began negotiations with the then owner, Hanson Industries, to acquire the whole site. The purchase was completed in 1990. In the following few years plans were drawn up for a leisure oriented proposal which envisaged the cleaning up of the whole site and its future use as a destination recreational and visitor information centre in 1993. The proposals were granted outline consent in 1995 with three matters reserved. A copy of the consent is at section 4 in this folder.

The clearing up operation began almost immediately whereas the final constructional elements of the project have taken much longer than was originally thought or planned. (It is estimated that the costs of acquisition and works amount to a figure in excess of £3 million pounds.) Because of the length of time it has taken to reach the point where it is possible to open part of the site Mr. Potter has taken the decision to seek a premises licence for the visitor centre/restaurant and indicate on the plan where he could put a marquee. It is his intention to house a maximum of 500 guests in the marquee, when he is ready to apply for that consent, and whatever is proposed or done in that regard will be with the approval of the Surrey Fire and Rescue Service's support together with that of Surrey Police and Surrey Heath Borough Council's Executive Head of Community. Likewise, the Golf Driving Range will be the subject of a separate application for a premises licence which can be confirmed now will be operated in accordance with the previously agreed terms relating to hours, lighting and safety.

THE WATER'S EDGE, MYTCHETT.

PERSONAL PROFILES OF THE APPLICANTS.

MR. ROBERT RONALD POTTER, OBE.. (Joint Licensee.)

Mr. Potter has been involved in the organisation of music events since 1950. These have taken place throughout the geographical areas of England, and the Channel Islands. Firstly with the Bob Potter Band and thereafter in corroboration with many of the current doyens of the recording and music production industry.

Closer to home he was responsible for running regular events at the Agincourt and Drill Halls in Camberley, the Aldershot Palais, Woking Atlanta, Bracknell South Lodge, Reading Hexagon and many others around the home and northern counties.

In 1971 Mr. Potter purchased Wharfenden, the site he was to turn into his home and the world famous Lakeside Complex. He has been a joint licensee at his three hotels, sports centre, steakhouse and cabaret suite since their opening between 1972 and 1980 personally overseeing each event at all the venues.

He was awarded his civil OBE in 1999 for "services to charity" and has raised almost £1.0m for Frimley Park Hospital, The Breast Cancer Charity, headed by his close friend Dame Vera Lynn, Phyllis Tuckwell Hospice and other local charities which provide important support within the community.

It is Mr. Potter's belief that he possesses all the requisite experience in managing the businesses he has, supported by his experienced team of professionals and puts his past record forward as proof of his abilities.

MISS JOANNE DAPHNE POTTER. (Joint Licensee.)

Joanne is the daughter of Robert Potter and has been involved in all aspects of the entertainment business for over 45 years working both alongside her father and on sole ventures including a local licensed premises for some 8 years as well as being a joint licensee at the Lakeside International Hotel for many years.

In 1998 Joanne began working full time in the family business running the Food Hygiene side of the businesses and assisting in the Health and Safety department.

She is the holder of a current SIA badge and has passed a drug awareness course. She sees her role as supporting her father's aspirations in running a community friendly and safe business for all concerned and understands the relationship between neighbours and local businesses.



**PROPOSED COUNTRY PARK
LAND AT MYTCHETT ROAD SURREY**

SCALE: 1:2500.
DATE: APRIL 1997.

DRAWING No.: **3008-13** 'A'

'A' SHEET OF VISITOR CENTRE AND PARKING DEVELOPMENT.

Frederick Bird Architectural
and development consultants Ltd
42 St. Leonards Road, East Sussex, TN38 9JF. Tel: 04320 447700 Fax: 04320 447701



Building Design Agency
(Southern) Ltd
42 St. Leonards Road
Eastbourne
East Sussex BN21 3UU

Surrey Heath Borough Council

Surrey Heath House
Knoll Road
Comberley
Surrey GU15 3HD
Telephone: (01276) 686252
Facsimile: (01276) 22277
DX: 32722 Comberley

Director: Planning Services

Division: Development Control

Application No: 93/0313

2nd December 1996

TOWN & COUNTRY PLANNING ACT 1990 - DECISION NOTICE

Outline Application

Drawing No./Date stamped: 5096/2A(means of access), 2109/01A.

The Council as Local Planning Authority **GRANTS** outline planning permission for the following development subject to the condition(s) specified in the schedule below:-

Proposal: Formation of leisure park to provide visitors centre/ clubhouse, golf-driving range and various outdoor recreational facilities.(Amended plan received 24.6.93).

Location: Mytchett Mere Mytchett Road Mytchett

SCHEDULE OF CONDITION(S) (If any)

1. Approval of the details of the siting, design and external appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority.

REASON: This is an outline application approved in accordance with the provisions of the Town and Country Planning (General Development Procedure) Order 1995 and to ensure a satisfactory form of development.

2. (a) Application for approval of the reserved matters shall be made to the Local Planning Authority within three years of the date of this permission.
(b) The development hereby permitted shall be begun either within five years of the date of this permission, or within two years of the date of approval of the last of the reserved matters to be approved.

REASON: To prevent an accumulation of unimplemented planning permissions and in accordance with Section 92(2) of the Town and Country Planning Act 1990.

3. Provision shall be made within the site for the parking of plant and other vehicles occasioned by the carrying out of the development hereby approved and shall be retained for that purpose during the period of construction following which all plant and vehicles shall be removed from the site to the satisfaction of the Local Planning Authority.

REASON: In the interests of the residential amenities of the area and to ensure that the development does not prejudice the free flow of traffic and condition of safety on the highway nor cause inconvenience to other highway users.



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Directorate: Planning Services

Division: Development Control

4. The development hereby permitted shall not be commenced until the applicants shall have submitted to the Local Planning Authority detailed proposals for the disposal of excavated soil arising from the construction of roads, buildings and any other works associated directly or indirectly with the development hereby permitted and shall have received the Local Planning Authority's written approval thereof; these proposals shall show the position of disposal on the site of surplus excavated soil; and the Local Planning Authority reserves the right to grant any such approval subject to conditions which may be required, in particular that the disposal works shall be carried out immediately the soil is excavated and specify the areas where any surplus soil shall be deposited.

REASON: To ensure that proper provision shall be made for the disposal of excavated soil.

5. The parking spaces shown on the approved plan shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

REASON: To ensure the provision of on-site parking accommodation.

6. No demolition, site clearance or building operations shall commence until chestnut pale or similar protective fencing shall have been erected around each tree or group of trees which it is intended to retain on site. Such fencing to be erected and retained during the course of the development at a radius from the trunks to be agreed on site with the Local Planning Authority.

REASON: To ensure the retention of trees in the interests of the visual amenities of the area.

7. No trenches, pipe runs for services and drains shall be sited less than 5m. from the trunk of any tree intended to be retained unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the retention of trees in the interests of the visual amenities of the area.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) details of all walls and fencing shall be submitted to and approved by the Local Planning Authority before development commences, such walls and fencing to be erected to the reasonable satisfaction of the Local Planning Authority before the development hereby permitted is first occupied.

REASON: In the interests of the visual and residential amenities of the area.

9. Before the development hereby permitted is commenced details and samples of the external materials to be used shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of visual amenities of the area.

10. Before works commence on site details of foul and surface water drainage are to be submitted to and approved by the Local Planning Authority.

REASON: To ensure a satisfactory development.

11. No work shall be carried out on Sundays, Public Holidays, or except between the hours of 8a.m. and 7p.m. on weekdays and 7a.m. and 1pm. on Saturdays.

REASON: In the interests of the amenities enjoyed by neighbouring residents.



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12. The clubhouse hereby approved shall only be used between the hours of 8.00 and 23.00 on Monday to Saturday and 8.00 and 22.30 on Sundays, Christmas Day and Good Friday.

REASON: In the interest of the residential amenities of the adjoining premises.

13. The driving range hereby approved shall only be used between the hours of 8.00 and 22.00.

REASON: In the interest of the residential amenities of the adjoining premises.

14. Before any other operations are commenced, the existing vehicular access to Mytchett Road shall be redesigned, reconstructed, provided with visibility zones, all to be permanently retained to a specification to be agreed with the Planning Authority after consultation with the Highway Authority.

REASON: The condition above is required in order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users.

15. The premises, the subject of the application, shall not be occupied until space has been provided within the site to accommodate,

- (a) parking
- (b) loading
- (c) unloading
- (d) turning

of vehicles clear of the highway and properly laid out and paved as may be agreed with the Planning Authority after consultation with the Highway Authority and such space shall be retained thereafter free of any impediment to its designated use.

REASON: The condition above is required in order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users.

16. No development shall take place until details of locations for

- (a) parking for vehicles of site personnel, operatives and visitors
- (b) loading and unloading plant and materials
- (c) storage of plant and materials

to be used in constructing the development have been submitted to and approved by the Planning Authority after consultation with the Highway Authority and each of those facilities shall be retained as required by the terms of that approval throughout the course of construction of the development free from any impediment to its designated use.

REASON: The condition above is required in order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users.

17. Before any of the operations hereby approved are commenced, which involve the movement of materials in bulk to or from the site, facilities shall be provided as may be agreed with the Planning Authority, after consultation with the Highway Authority to prevent the deposition of extraneous matter on the public highway and shall thereafter be retained and used whenever the said operations are carried out.

REASON: The condition above is required in order that the development should not prejudice highway safety, the free flow of traffic nor cause inconvenience to other highway users.



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18. Before the development is commenced a detailed site investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the contamination of the water environment. The method and extent of this investigation shall be agreed in writing with the Local Planning Authority in consultation with the Environment Agency prior to the commencement of the work. Details of appropriate measures to prevent future pollution of groundwater and surface water shall also be agreed in writing with the Local Planning Authority in consultation with the Environment Agency. The development shall then proceed in strict accordance with the measures approved.

REASON: To prevent pollution of the water environment.

19. No solid matter shall be deposited so that it passes or is likely to pass into any watercourse.

REASON: To prevent pollution of the water environment.

20. No soakaways shall be constructed such that they penetrate the water table.

REASON: To prevent pollution of groundwater.

21. A buffer zone 20 metres wide alongside the Blackwater River shall be established in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency before development commences.

REASON: To protect the flora and fauna dependant on the aquatic environment and prevent prejudice of the statutory conservation obligations of the Environment Agency.

Informative(s) :-

1. The applicant is advised that Section 106 of the Water Industries Act 1991 applies to this development. A permit to connect to the public sewers must therefore be obtained from the Local Authority. Enquiries about the acceptability of connections to existing sewers and requests for application forms should be directed to the Council's Chief Drainage Engineer.
2. The applicant is advised that consent to culvert or divert an existing watercourse will need to be obtained from Environment Agency, pursuant to Section 109 of the Water Resources Act 1991. Similarly consent under Section 263 of the Public Health Act 1936, will need to be obtained from the Local Land Drainage Authority. Requests for application forms should be directed to the Council's Chief Drainage Engineer.
3. Your attention is drawn to the letter from Thames Water Utilities dated 8th July 1993 a copy of which is attached to this decision notice.
4. Your attention is drawn to the letter from the National Rivers Authority (now known as Environment Agency) dated 29th July 1993 a copy of which is attached to this decision notice.
5. Surface water from parking areas are to be drained to gullies with oil/petrol interceptors.
6. The applicant will be required to enter into a Section 278 Legal Agreement to carry out highway works relating to the proposed access.
7. Infrastructure charges will be applied by Thames Water Utilities.



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8. Design standards for the layout and construction of access roads and junctions, including the provision of visibility zones, shall be in accordance with the requirements of the County Highway Authority.
9. Details of the highway requirements necessary for inclusion in any application seeking approval of reserved matters may be obtained from the County Director of Highways and Transportation on behalf of the Planning Authority.
10. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact the Chief Building Control Officer with regard to the necessary consents applicable under the Building Regulations.

Chief Planner (Development Control)
duly authorised in this behalf

(ATTENTION IS DRAWN TO THE THIRD SCHEDULE ATTACHED)



Surrey Heath Borough Council

Surrey Heath House
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Directorate: Planning Services

Division: Development Control

Frederick Bird Architectural
& Development Consultants Ltd
42 St Leonards Road
Eastbourne
E Sussex BN21 3UU

Application No: 97/0675

COPY

15th January 1998

TOWN & COUNTRY PLANNING ACT 1990 - DECISION NOTICE

Reserved matters Application

Drawing No./Date stamped: 3008:07A,06A,14,15,16,17,9419/01A

The Council as Local Planning Authority has **APPROVED** the following **RESERVED MATTER(S)**, pursuant to outline planning permission no: 93/0313

Proposal: Part Reserve matter application pursuant to outline application 93/0313 dated 2nd December 1996 for a single storey detached building to comprise a 20 tee golf driving range with associated car parking.

Location: Mytchett Mere Mytchett Road Mytchett Surrey

SCHEDULE OF CONDITION(S) (If any)

1. The reiteration of conditions imposed on outline consent reference 93/0313

REASON: These are reserved matters following the grant of outline planning permission.

2. No development shall take place until details of the lighting of the driving range hereby approved shall be submitted to the Local Planning Authority for approval in writing. The details should include levels of luminosity, beam direction and anti-glare measures.

REASON: In the interest of the residential amenities of neighbouring occupiers and the general amenities of the area.

Informative(s) :-

1. The applicant is advised that this permission is only pursuant to the Town and Country Planning Act 1990 and is advised to contact the Chief Building Control Officer with regard to the necessary consents applicable under the Building Regulations.

Chief Planner (Development Control)
duly authorised in this behalf
(ATTENTION IS DRAWN TO THE THIRD SCHEDULE ATTACHED)

THIRD SCHEDULE

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with section 78 of the Town and Country Planning Act 1990, within six months of the date of decision (Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, Transport and the Regions of the Planning Inspectorate, Tollgate House, Houlton Street, Bristol BS2 9DJ). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, Transport and the Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the common Council, or on the council of the county borough, London borough or county district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990.

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

(4) Attention is drawn to Section 20 of the Surrey Act 1985 which requires that when a building is erected or extended proper provision shall be made for the fire brigade to have means of access to the building and any neighbouring building (Copy of Section attached where appropriate).

(5) The Fire Authority advises that water mains on all developments should have a minimum diameter of 100mm. Water mains of this type are suitable for hydrant installation and will provide adequate water supplies for fire fighting purposes.

For further advice contact:

Water Officer, Surrey Fire Brigade, Brigade Headquarters, St David's, 70 Wray Park Road, Reigate, Surrey RH2 0ES. Tel: 0737 224016



Lakeside Country Club Limited

WHARF ROAD, FRIMLEY GREEN, Nr CAMBERLEY, SURREY GU16 6PT
TELEPHONE: DEEPCUT (01252) 836464
Fax: (01252) 836777

LICENSED BY S.C.C.

GENERAL MANAGEMENT OF WOODLAND ON SITE

1. All tree planting to be locally native, preferably using plants from other parts of the site.
2. Thinning to be limited and carried out in rotation (4-5 years) as proposed in the existing landscape management plan.
3. As much deadwood as practicable to be left in situ as it provides valuable habitat.
4. For parts of the site where a visual barrier is required, the Trust recommends planting holly, with Hawthorn planted as a nursery crop.
5. The Trust is to investigate the possible location of the rare plant Royal Fern *Osmunda regalis*. If found, it will be protected and encouraged through propagation.

AREA D: DRIVING RANGE AND ADJACENT WOODLAND TO THE NORTH

1. The majority of the proposed driving range is tipped land with little conservation value. The top layers will be stripped to prevent any fire risk and composted.
2. However, the grassland on the western end of the driveway is of ecological value. This is to be managed for its nature conservation interest as proposed in Drawing 9419/01A and cut to a similar regime as the rough grassland on the golf course (see below).
3. The woodland along the north of the range, which acts as a barrier to the caravan site, has been seriously affected by storm damage, it would require considerable funds to replant, which would not be ecologically desirable anyway. If possible this should be left to naturally regenerate, with the dead wood remaining in situ.
4. Tree and shrub planting planned on the north-western corner of the driving range will provide a barrier to lighting.

AREA E: GOLF COURSE TEES, GREENS, FAIRWAYS AND ROUGH GRASSLAND

1. The grassland areas shown as hatched on Drawing 9419/01A are to be managed for

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Registered Office: Wharf Road, Frimley Green, Nr. Camberley, Surrey GU16 6PT

agiring Director: R.R. Potter O.B.E.
Secretary: J.L.M. Marbich

VOTED
BRITAINS No. 1 CLUB
ON 5 OCCASIONS

Reg No. 1295561
VAT No: 296 0662 33

MEMBERS OF THE E.A.A.



Lakeside Country Club Limited

WHARF ROAD, FRIMLEY GREEN, Nr CAMBERLEY, SURREY GU16 6PT

TELEPHONE: DEEPCUT (01252) 836464

Fax: (01252) 836777

LICENSED BY S.C.C

their nature conservation interest i.e. cut once / year in late summer (preferably late September). Cuttings are to be removed to avoid increases in fertility. The use of all chemicals will be avoided. Low level traditional cattle grazing of these areas are welcomed by the Surrey Wildlife Trust.

2. FAIRWAYS: these are not to be close cropped but cut at a height of 2" (50mm) with approximately 3 foot wide margins cut to 3"-4" (75 - 100mm). If possible, these should only be cut in late September to maximise the nature conservation potential.

Chemicals will not be used.

3. GREENS & TEES: these are to be turfed or seeded and chemical use avoided. They are to be close cut to 1/2 to 3/5" (12-15mm).

4. From the nature conservation point of view, tree planting on the golf course is undesirable and it is agreed that the planting will be avoided for three years, and then reassessed.

AREA F: GOLD COURSE POND AND ASSOCIATED DITCHES

1. Part of the value of this pond lies in its ephemeral nature (i.e. it dries up in the summer) which is now quite rare. Consequently, the ditch running between the pond and the lake should be kept in its present condition.

2. Other ditches on the golf course are to be kept open.

AREA G: THE TRACKS

1. All foot tracks are to be made of bark peelings (possibly from trees removed from the site).

2. The new tracks for vehicles is to consist of cinders or gravel, not tarmac (except for those areas already tarmac).

3. Vehicles are to be prohibited from the golf course ad west ad south of the lake, except for maintenance and emergencies.

Some areas of grass will be left for as long as possible as many invertebrate species are dependant on taller vegetation. These areas will not be cut until September.

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Registered Office: Wharf Road, Frimley Green, Nr. Camberley, Surrey GU16 6PT

Mytchett Mere Landscape Management Plan

The aim of this management plan is to ensure that the natural characteristics of the site are preserved and enhanced as much as possible and that wildlife is encouraged to remain within a variety of habitats present at Mytchett Mere.

A General Points

1. These notes should be read in conjunction with drawing number 9419/01A.
2. All areas shown shaded on drawing number 01A are to be retained as natural grassland. Only self-set trees and shrub species shall be allowed to grow. Grass cutting should be no lower than 300 mm once a year and not before July.
3. Removal of dead plant material and general tidying should be kept to a minimum and only as necessary to prevent accidents or fires and this work should be carried out in late autumn or winter.

B Wooded areas

1. Only native species of trees should be encouraged. Thinning of existing trees should only take place every four to five years to maintain a diverse age structure varying from dying trees to saplings and to allow a variety of undergrowth species to develop.

C. Lake, pond and wetland areas

1. Retain sand and gravel bottom to pond and lake.
2. Ensure at east end of lake by entrance that the tree margin is retained with modest thinning only.
3. Around the other edges of the lake retain the existing tree density ensuring open spaces at least as much as shown on the plan in order that sunlight can reach water margin areas.
4. Ensure small irregular bays are retained.
5. Silting up of the lake and the pond should be controlled.



Mytchett Mere SNCI
Recorder No. - 38

Mytchett

Mytchett Scale 1:6000

Based upon the Ordnance Survey 1:10 000 Map with the permission of The Controller of Her Majesty's Stationery Office. Crown Copyright. Licence Number AL100031669.
Produced by the Surrey Biological Records Centre, part of the Surrey Wildlife Trust.
22nd April 2004

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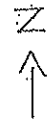
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Surrey Heath House
Knoll Road
Camberley
Surrey
GU15 3HD



COPY

BUILDING CONTROL

The Building Act 1984
The Building Regulations 2000

CERTIFICATE OF COMPLETION OF WORKS

1. Description of Work	Proposed visitor centre
2. Address or Location of Work	Mytchett Mere Mytchett Road Mytchett Surrey
3. Council's Reference Number	1998/FP0320
4. Deposit of Particulars	Full plans were/ A Building Notice was deposited under the Building Regulations made under Section 1(3) of the Building Act 1984.
5. Date of Receipt	11 May 1998
6. Date of Completion Inspection	17 August 2006
7. Compliance with Building Regulations	It is certified that so far as the Council have been able to ascertain, after taking all reasonable steps in that behalf, the substantive requirements of the relevant Building Regulations have been satisfied.
8. Limitations of Certificate	This Certificate relates only to the work described in (1) above and not in the case of extension or alterations or installation of fittings, to any work carried out to which the regulations did not on this occasion apply, e.g. to the existing building not affected by the extension or the work of repair or the replacement of fittings, etc.

Dated 5 October 2006

Brian Townley
Head of Built Environment

Derek Seekings

From: Jonathan Partington
Sent: 19 December 2013 16:17
To: Derek Seekings
Subject: Waters Edge, Mychett Road

Derek

To confirm, the Planning Authority make a representation on the grounds of public nuisance.

This site has a detailed history. The applicant got outline consent in 1993 (under 93/0313) for the formation of a leisure park to provide visitors centre/clubhouse, golf driving range and various outdoor recreational facilities. However, whilst a building was subsequently built the applicant has never utilised the building or land for its intended use and never discharged the pre-start planning conditions on the land. Consequently, the current building on the land (whilst its existence is lawful given the period of time it has been erected) has no authorised use in planning terms.

The original condition imposed on the 1993 consent included a planning condition restricting the use of the clubhouse only between the hours of 8am -11pm Monday to Saturday and 8am -10.30 pm on Sundays, Christmas Day and Good Friday. This was in the interests of the residential amenities of adjoining premises. However, because the use was never implemented, in effect this condition has no bite. Notwithstanding this, officers would be concerned with activities up to 2 am, given the potential impact on residents.

Without a planning consent in place for the (intended) use of the building as now proposed, a representation has to be made. The applicant should first submit a planning application to regularise the use of the building/land. An application would also give full opportunity for residents to comment on the merits of the late night opening.

There is insufficient detail with the licensing application on the extent and nature of the use. Without the use regularised under the auspice of a planning application the Planning Authority cannot consult, fully consider or control the potential impacts of the use (by planning condition or otherwise). There is potential for adverse noise and disturbance that could be detrimental to the residential amenities of neighbours in the vicinity. Visitors could leave the site later than 2am and the number of visitors; the comings and goings of vehicles and the associated noises and lights; the temporary nature of the marquees; and, the potential for antisocial behaviour are examples of how the use may adversely impact on local residents.

Kind regards

Jonathan Partington
Development Manager
Regulatory Services
Surrey Heath Borough Council
Knoll Road
Camberley
Surrey GU15 3HD
Tel: 01276 707296
www.surreyheath.gov.uk

Great Place • Great Community • Great Future

Ref/ waters edge

11/12/13



camberley, gu10

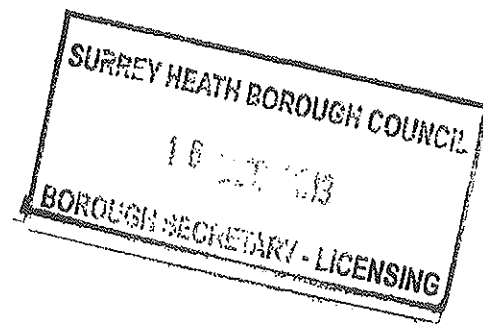
Dear sir/madam

I wish to express my concerns as to the request of a alcohol licence by Mr Potter at the waters edge mytchett. I definatly
pose this. There are enough outlets already selling alcohol in mytchett , I already have to put up with drunks roaming
around at 2pm after a night out locally in the keys,this is meant to be a local village, allowing this to happen will bring yet
more complications with it, I trust you will do the correct thing and not allow yet another village to fall foul of a drinking
culture

Sincerely,

A handwritten signature in dark ink, appearing to read "Anthony Daly". The signature is written in a cursive style with some loops and is positioned over the printed name.

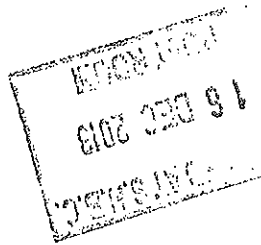
Anthony Daly
MR



Surrey Heath Borough Council.
Surrey Heath House,
Knoll Road,
Camberley, Surrey.
GU15 3HD

FAO, The Licensing Manager

12th December 2013.



D, R. MILES

MYTCHETT
CAMBERLEY
SURREY
GU16

Mob

E-Mail;

Re Waters Edge Mytchett Road

Dear Sirs

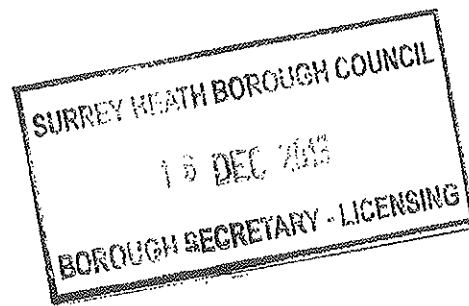
As a neighbour of that site, I am concerned that a licence is being applied for and we have no idea what use the premises will be used for, and see they want it till 2am, this a a very peaceful area and I cannot see how it will continue to be if a licence is granted.

The applicant already has many premises in the Mytchett area, which I imagine do already have licences, so surely we do not need another.

I hope this application has a fair representation as a local councillor is also on the licence application and it would not be right for pressure to be put on this decision.

Yours Sincerely

Duncan R Miles



Derek Seekings

From: MILNE JOHN [REDACTED]
Sent: 10 December 2013 19:08
To: licensing

I wish to register an objection to the Licencing application made for the 'Water's Edge' at GU16 6AG in Mytchett Road on 29 Nov 2013. My property meets on to this area and I do not want an entertainment facility being open until 2am 7 days a week. The road is already used during the night by 'racers' and the thought of drinkers emerging at 2am on to Mytchett Road does not bear thinking about.



John Milne
[REDACTED]
Mytchett
Surrey
GU16 [REDACTED]
[REDACTED]

OBJECTION

RECEIVED
- 9 DEC 2013
POST ROOM

Mytchett

Surrey

Gu16

SURREY HEATH BOROUGH COUNCIL
- 9 DEC 2013
BOROUGH SECRETARY - LICENSING

5th December 2013

Ref: The Water's Edge application, Mytchett Road, Surrey

Following on for the application made by Robert Ronald Potter & Joanne Daphne Potter.

I am writing this letter to oppose the application made by the above recipients where they have made an application for a licenced premises at the above address. We live directly opposite the premises in this said application. Firstly the area is very quiet and respectable there are no shops open after hours and there is little or no night life here. There are elderly people as well as those with children in the area. There is no desire for a place of this type and certainly living directly across the road we strongly oppose this as we do not wish to have people drinking into the early hours of the morning and leaving the premises whilst under the influence of alcohol or being loud and abusive, we have a very close nit community. There is no call for this type of application and due to being close nit, we are fully aware of the applications made Mr Potter in the past and that he has a licenced premises that he is looking to extend a 5 minute walk around the corner in a more secluded area, where there is no direct housing. Why he is not looking to develop this for his late night drinking? We are not prepared to agree to something that may not only disrupt our quiet, peaceful environment but also have a considerable detrimental effect on the value and desirability of the property's in the area in order to line a man who already owns a considerable amount of licenced property in the area and we are unable to see that this would be a positive or viable business application. Hence we are in complete opposition of such an application. Due to this being right outside our door we would kindly appreciate a full update on any developments or concerns in regards to this application.

Kindest regards

Miss K Trevithick & Mr G Sanger.

Derek Seekings

From: simon roberts [REDACTED]
Sent: 23 December 2013 13:15
To: licensing
Subject: The Waters Edge, Mytchett Road, Mytchett, Surrey

Public Nuisance

Dear Sir

I am writing to object to the proposed premises licence at the above address. Firstly I thought the purpose of these premises was to be used as a Golf driving range? And not for late night entertainment such as recorded and live music, Wrestling, Boxing & Adult entertainment up to 23.00hrs some of which will be held outside possibly 7 days a week!

· object to the premises being used for this purpose and selling alcohol from 0800-02.00

Reasons are, I believe it will be a public nuisance to all residents living in the vicinity, due to noise pollution from the proposed live music and other outdoor events. Customers starting their cars at 2am and leaving the site, exiting on to the Mytchett road in the early hours.
Consuming alcohol in the Driving range, surely this cannot be safe?

Our house and garden back directly onto the boundary of the site, We have lived here for nearly 15 years and have enjoyed peace and quiet during this time. My daughter's bedroom is at the rear of our property so potentially she could be disturbed every night!

She is currently undertaking her course work for her GCSE's and we wouldn't want her schooling to suffer due to late night revellers.

I suffered a major stroke in October 2012 and I am still recovering from this, (Don't want any stress)
We like to enjoy our garden during the Spring and Summer months and eating outside when the weather permits.

hope this objection and reasons for it, will give you the opportunity to reconsider this licence.

Yours faithfully

Mr S Roberts

[REDACTED]
Mytchett
Camberley
Surrey
GU16 [REDACTED]
[REDACTED]



Mr W Sawers

[REDACTED]
Mytchett
Camberley
Surrey
GU16 6AE

Licensing Manager
Surrey Heath House
Knoll Road
Camberley
Surrey
GU15 3HD

Ref.

18 December 2013

To the Licensing Manager,

1. I am writing to you with regards to the Alcohol Licence Application that has been submitted to you by Mr Bob Potter for the site that he owns along Mytchett Road that was formerly known as Mytchett Farm and now known as Waters Edge.
2. My concern with the Application is the times which have been requested (08:00 am - 02:00 am). I have to get up very early in the morning for my job and thus have to go to bed at a reasonable time (as most people do). I object to having a Licensed bar open and serving alcohol until 02:00 am located behind my property. I have lived in the property at 212A Mytchett Rd for over 25 years and I believe the noise and disturbance that late night drinkers will bring to what has been a very quiet residential area is not acceptable.
3. I do not totally object to Mr Potter having an alcohol licence on the site but the times should be restricted to (10:00 am - 11:00 pm) at the latest. I do not wish to interfere with anybodies business, and equally I do not wish for people to interfere with mine, but drinkers entering and leaving a late night drinking establishment will almost certainly impinge on me and my families (and other residents) rights to a peaceful nights sleep.
4. I would very much appreciate your consideration of my families, and other residents, rights before making your decision on this application. I look forward to your response to this letter.

Yours Faithfully

Mr R W Sawers

Derek Seekings

From: Nigel [REDACTED]
Sent: 22 December 2013 11:09
To: Derek Seekings
Cc: [REDACTED]
Subject: Fwd: Rejection of Licensing application for the "Waters Edge" in Mytchett

Sent from my iPhone

Begin forwarded message:

From: e-mail nigelporritt [REDACTED]
Date: 19 December 2013 07:47:35 GMT
To: "planning.policy@surreyheath.gov.uk" <planning.policy@surreyheath.gov.uk>
Cc: Nigel Porritt [REDACTED], Porritt Nigel [REDACTED]
Subject: Rejection of Licensing application for the "Waters Edge" in Mytchett

I am a local resident of the village of Mytchett and live opposite the gates to the recently proposed Adult entertainment development called the "Waters Edge" and would like to formally confirm my rejection of said development and licence application for the reasons detailed below.

I live at [REDACTED] opposite the gates to the proposed Waters Edge development and have a young family who would be directly affected by this proposed application as a result of detrimental psychological and mental suffering brought about by the additional noise pollution associated with the arrival and departure of revellers between the hours of 08:00 and 02:00 hrs seven days a week.

When I moved to Mytchett it was for its quiet peaceful village atmosphere and there was no hint of an Adult Entertainment facility being built on our door step. My wife is a nurse and works long shifts at unsociable hrs and she needs to be able to come home after a 12 hr shift and not have the worry of not being able to sleep due to being disturbed by the coming and going of cars and people having consumed alcohol after 02:00hrs, seven days a week, 365 days a year.

I am sure that if the council was to ask the local residents of Mytchett they will not be in favour of such a development and licence as the village is predominantly made up of family size houses that would be adjacent to such a large development resulting in unacceptable disruption to family life 365 days of the year. I also find it rather cynical that the applicant has waited till the end of December to make such an application when families are busy planning for Christmas and when postal services will be disrupted due seasonal closures thus limiting the potential response from local residents. I suggest that the council carries out its own survey of local residents directly on this licence application as it will have a significant

bearing on their lives and well being.

Please can you acknowledge receipt of this email and instruct me of what are the next steps associated with the rejection /acceptance or modification to this licensing application in the village of Mytchett?

Regards,

Dr Nigel Porritt.

Local resident of Mytchett.

[REDACTED]

Camberley

Surrey

GU16 6AX.

Work email: [REDACTED]

Work No. [REDACTED]

Mobile. [REDACTED]

Sent from my iPad




[REDACTED]
MITCHELL,
CAMBERLEY,
GU16 6AF.

16-12-13

Dear Sir,

I wish to oppose the
proposed application by Mr. Bob Potter
of the opening of the club house and bar
at The Water Edge in Mitchell Rd Mitchell

The opening of the club to
sell alcohol between the hours of 8.00 AM
till 2.00 AM the following morning will
cause distress to many nearby residents
There are more than enough off licences
to alcohol between Mitchell and Brimley
and the increase in traffic to an
already busy road will likely cause
more accidents.

Yours faithfully

M. P. Smith

Derek Seekings

From: mikeheffernan [REDACTED]
Sent: 20 December 2013 21:20
To: Derek Seekings
Subject: Letter of Objection to the Application for a premises licence in respect of The Waters Edge, Mytchett Road. Mytchett, Surrey GU16 6AG

FAO: Derek Seekings - Licencing Officer Surrey Heath Borough Council

THIS IS A LETTER OF OBJECTION

Dear Mr Seekings,

Many thanks for the information provided with regard to the New Licence application for Mr Potters Water's Edge complex.

I am writing to register my objection to the above application for a premises licence with regard to the following licencing objectives:

1. Prevention of crime and disorder
2. Public safety
3. Prevention of public nuisance
4. Protection of children from harm

Mytchett Road already suffers noise nuisance and antisocial behaviour by speeding traffic, cars beeping their horns and people shouting as they make their way along the road home from the areas pubs and clubs. My garden has been littered over the years with rubbish and empty bottles of alcohol thrown indiscriminately by passersby. On a number of occasions I have also had to take a water hose to the footpath and my own driveway to wash away vomit left by people who have been suffering from drinking too much alcohol. Children walk along these footpaths to their schools and to the bus stops immediately adjacent and opposite the entrance to the Water's Edge site, their parents have to steer them past this mess on the footpaths and uncomfortably explain why it's there. Allowing this to potentially increase because of the proximity of the venue sends the wrong message to these children.

The fact that 600+ patrons may use the Water's Edge at any one time, notionally an average of 300+ is significantly more than use the road now during the evening to 11pm, presenting additional safety considerations for residents and their visitors at these times from additional vehicles, buses, taxis, private cars and pedestrians increasing the statistical likelihood of accidents due to drink-driving, and anti-social behaviour and other public nuisance offences from unruly revellers. I suggest that allowing people to drink over a longer period up to 2am would exacerbate the nuisance which the local authority could surely not condone within the wider Surrey Alcohol Strategy, going against its own County guidance.

The Surrey Heath area 'well-being' statistics show an increase in anti-social behaviour and that alcohol related issues are above average for the area and have increased in recent years. The Boroughs own 'Safer Surrey Heath' policy initiative which is trying to address the fact that Surrey has some of the highest levels of Hazardous Drinking; with Surrey Heath one of the top 10 in a table identified as having unacceptable levels. (**Hazardous drinking is defined as drinking above recognised sensible levels*) Source – Surrey Alcohol Strategy.

- a. Hazardous drinking levels are greater in Surrey than anywhere else in the country; seven out of the top ten boroughs for hazardous drinking in England are within the county
- b. Hospital admissions for alcohol related harm in Surrey are increasing year on year

- c. Services for those with alcohol problems are less well developed in Surrey than those for people experiencing problems with drugs
- d. Crime and anti-social behaviour relating to alcohol is an issue for many boroughs and districts in Surrey, particularly those with a significant night time economy

With the above in mind, particularly item 'd', it is an accepted fact that younger people are more likely to be opposed to restricted hours which might be expected since they are more likely to use the night time economy. The various attitudes of different ages and genders are important to recognise since they will obviously affect the way they respond to the availability of alcohol but the effects are universally the same; additional burdens on the police, NHS services and the likely dilution of the rights of local residents to be able to enjoy their locality without detriment to their safety. Notwithstanding the inevitable devaluation of property in the area if an extended licence is granted.

The number of licensed premises closing all around the country, but more specifically in the Surrey Heath area, because of economic unsustainability would suggest that the requirement is already being met for places to drink within socially acceptable hours. Therefore, the need to allow a license outside normal hours seems unnecessary as there are already plenty of establishments in the area to drink alcohol at all times, two of which are already well established in the immediate area and belong to Mr Potter.

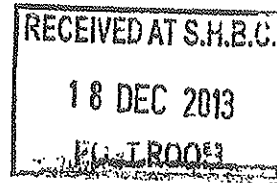
NOTE: With specific regard to the application form itself I note that the Prevention of Public Nuisance guidance/direction at serials 18 and 19 on page 22 appear to be in conflict with Part 3 schedules A, E, F and G on pages 5, 8, 9, 10 and 11 respectively in that the applicant proposes to break the 22:00 hours cut-off time for outside activity by stating an event termination time of 23:00 hours.

In view of all of the above deliberation, I would urge the Licensing Authority to refuse the application for the Water's Edge Complex on Mytchett Road and in your own words keep Mytchett and the local area a 'Great Place, a Great Community and give it a Great Future'.

Yours faithfully,

Michael Heffernan
[REDACTED]
Mytchett Camberley
SURREY GU16 [REDACTED]
Tel: [REDACTED]

Licensing Manager
Surrey Heath House
Knoll Road
Camberley
Surrey GU15 3HD



17th Dec 2013

Ref: Application for a premise licence for Robert Ronald Potter & Joanne Daphne Potter, The Water's Edge, Mytchett Road, Mytchett, Surrey

Dear Sir/Madam

We strongly contest the licence application for the above mentioned property on the grounds listed in the application form. We live in [REDACTED] and have 2 young children of school age and both myself and husband work full time.

As this application is incorporating outdoor music and adult entertaining with a license application from 8 am to 2am every night is a total shock to us. Our sleep will be greatly disturbed by the extra traffic, the loud music and intoxicated individuals roaming the street late at night, to name but a few reasons to oppose this license application.

Yours sincerely

Sonja Newrick

Derek Seekings

From: RICHARD NEWMAN [REDACTED]
Sent: 23 December 2013 23:38
To: licensing
Subject: The Waters Edge, Mytchett Road, Mytchett GU16 6AG - Licensing Application

We are writing to you to place on record the strongest possible objection to the Licensing Application for The Waters Edge, Mytchett Road, Mytchett GU16 6AG.

Mytchett, and in particular the southern end of the village is almost entirely residential occupied in the main by working families with children and people of the older generation many of whom have been in residence here for more than 40 years like ourselves. There is little or no disturbance and only minimal traffic here in the late evening/early hours of the morning, such is the character of our surroundings. We hope you will understand from this brief description how wholly inappropriate and undesirable all of which is proposed in this application would be and can find no elements of this proposal which would benefit or enhance the lifestyle that we and our neighbours have developed over many years. Moreover much of which is proposed would only have a detrimental effect in so many ways.

Yours sincerely
Mr. R.W. & Mrs J.J. Newman

[REDACTED]
Mytchett
GU16 [REDACTED]

21-12-13.



MYTCHETT
CAMBERLEY
SURREY
GU16

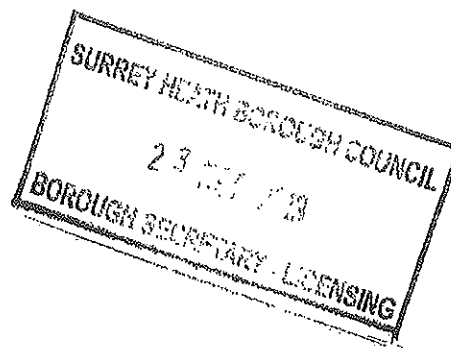
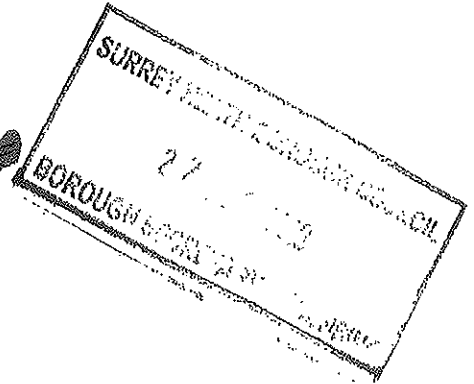
DEAR SIR

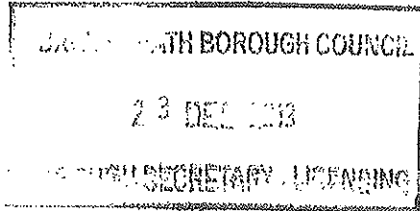
WE ARE WRITING REGARDING THE APPLICATION FOR AN
ALCOHOL LICENCE AT WATER'S EDGE MYTCHETT ROAD BY
MR POTTER.

SURELY THIS IS NOT THE RIGHT PLACE TO OPEN A LATE
NIGHT CLUB SELLING ALCOHOL LATE AT NIGHT IN CLOSE
PROXIMITY TO NEIGHBOURING PROPERTIES AS MR POTTER
ALREADY HAS ANOTHER ESTABLISHMENT CLOSE BY (POTTERS)
WHICH SELLS ALCOHOL, AND SO WE STRONGLY OBJECT
TO THIS APPLICATION.

FROM TWO CONCERNED RESIDENTS.

~~RECEIVED~~





[REDACTED]
Mytchett,
Near Camberley,
Surrey
GU16 [REDACTED]
Telephone [REDACTED]
Mob [REDACTED]
EMAIL:
[REDACTED]

Monday, 23 December 2013

Your ref: The Licensing Application for the Waters Edge, Mytchett

Attn: The Licensing Officer

Dear Sir or Madam

Please find enclosed a copy of a licensing application, to which we wish to object to in the strongest possible terms.

We find this Application totally inappropriate for a peaceful residential neighbourhood.

Also, having read the application in full, we understand that Mr Potter is also applying for a Music Licence, for up to 2 AM as well.

I seem to remember from the time that I was a Surrey Heath Borough Councillor, that strict conditions were placed on Mr Potter's Venue and Golf Driving Range, before his Planning Application was allowed to go through.

And further, I remember that one of these restrictions was that his activities caused no nuisance to neighbouring properties with floodlights and noise.

This Licensing Application seems to directly flout the conditions imposed on him, by the Planning Committee, at that time.

We totally oppose this Licence Application for these reasons:

- **If music is to be played until 2 AM, it will cause noise and disturbance until an antisocial hour, especially if it is to be played outside.**
- **It could bring undesirable characters into the area.**
- **It could cause fights and antisocial behaviour, outside resident's houses, many of whom are elderly, or the parents of young children.**
- **It could also fuel a rise in crime and vandalism, on this part of the Mytchett Road.**
- **What in effect, Mr Potter is asking for is a Nightclub Licence, which is totally unsuitable for this residential area.**

Remarks

We have no problem with Mr Potter having a drinks licence until a reasonable hour, say 11:30 PM, with the option to have an occasional extension of the licence for special occasions.

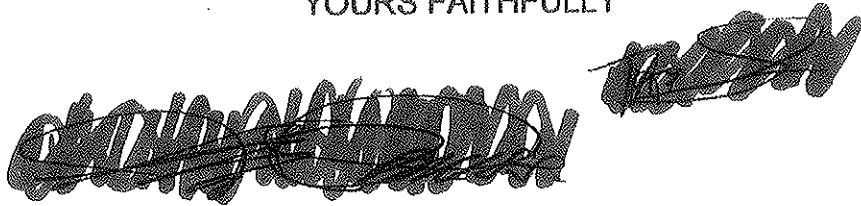
We would also ask that you, DO NOT grant a Music Licence of any kind.

Mr Potter's Licence Application seems to be in effect a complete change of usage for the land, which we understand to have originally been for a **Golf Driving Range with a Club House.**

We would therefore request, that you to contact your Colleagues in the Planning Department and to ask them what conditions were imposed, at the time of Mr Potter's original successful planning application, and is this Licensing Application in contravention of any of them.

Mr Potter's Licence Application seems to have caused a lot of upset to many of the local residents, who we understand are going to make their own written representations about Mr Potter's Licence Application.

YOURS FAITHFULLY

Two large, dark, illegible handwritten signatures, likely of Mr. John A. Emuss and Mrs. Helen M. Emuss, written in ink.

MR JOHN A. EMUSS & MRS HELEN M. EMUSS

Derek Seekings

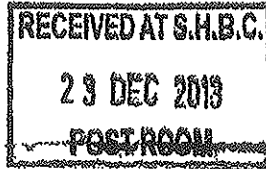
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Yours sincerely
Mr. R.W. & Mrs J.J. Newman
[REDACTED]
Mytchett
GU16 [REDACTED]

21-12-13.



MYTHETT
CAMBERLEY
SURREY
GU16

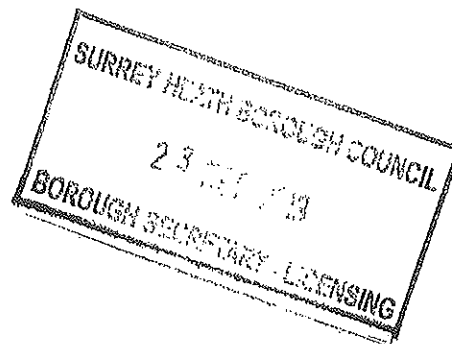
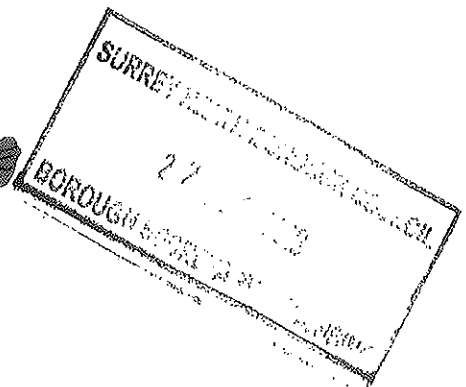
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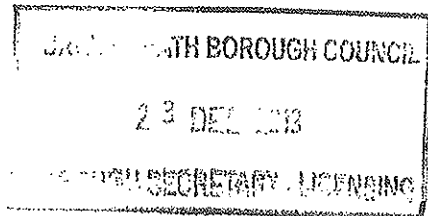
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ALREADY HAS ANOTHER ESTABLISHMENT CLOSE BY (POTTERS)
WHICH SELLS ALCOHOL, AND SO WE STRONGLY OBJECT
TO THIS APPLICATION.

FROM TWO CONCERNED RESIDENTS.

~~WATEREDGE~~





[REDACTED]
Mytchett,
Near Camberley,
Surrey
GU16 [REDACTED]
Telephone [REDACTED]
Mob [REDACTED]
EMAIL:
[REDACTED]

Monday, 23 December 2013

Your ref: The Licensing Application for the Waters Edge, Mytchett

Attn: The Licensing Officer

Dear Sir or Madam

Please find enclosed a copy of a licensing application, to which we wish to object to in the strongest possible terms.

We find this Application totally inappropriate for a peaceful residential neighbourhood.

Also, having read the application in full, we understand that Mr Potter is also applying for a Music Licence, for up to 2 AM as well.

I seem to remember from the time that I was a Surrey Heath Borough Councillor, that strict conditions were placed on Mr Potter's Venue and Golf Driving Range, before his Planning Application was allowed to go through.

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Remarks

We have no problem with Mr Potter having a drinks licence until a reasonable hour, say 11:30 PM, with the option to have an occasional extension of the licence for special occasions.

We would also ask that you, **DO NOT** grant a Music Licence of any kind.

Mr Potter's Licence Application seems to be in effect a complete change of usage for the land, which we understand to have originally been for a **Golf Driving Range with a Club House**.

We would therefore request, that you to contact your Colleagues in the Planning Department and to ask them what conditions were imposed, at the time of Mr Potter's original successful planning application, and is this Licensing Application in contravention of any of them.

Mr Potter's Licence Application seems to have caused a lot of upset to many of the local residents, who we understand are going to make their own written representations about Mr Potter's Licence Application.

YOURS FAITHFULLY



MR JOHN A. EMUSS & MRS HELEN M. EMUSS

THE WATER'S EDGE.

RESPONSE TO THE RESPONSIBLE AUTHORITIES REPRESENTATIONS

AND RESIDENTS OBJECTIONS.

Two Responsible Authority representations have been made, one from the Planning Department of Surrey Heath Borough Council and the other from the Executive Head of Community at Surrey Heath Borough Council. Both have made written objections, to the Licensing Officer, the former on the grounds of Public Nuisance and the latter on the four licensing objectives with operational concerns. There are also objections to the grant of a Premises Licence from some local residents.

THE RESPONSIBLE AUTHORITY REPRESENTATIONS.

The Licensing Sub-Committee's attention is drawn to the fact that, whilst this Application is for the grant of a new Premises Licence, in the recent twelve months new Licence Variations have been sought for most of Mr. Potter's licensed premises within the Borough using the same, or ostensibly the same, Licensing Objectives without criticism. For support in this regard I would refer you to the last paragraph of Mr. Potter's personal profile at section 2 in this folder.

The original planning consent for this property was sought in 1993 and granted in outline in 1996. The consent set out conditions which had to be met and approved by the Council. As far as I am aware these conditions have been met and it is coming up to the time when, later in 2014, the premises will open to the public.

The current Application is for the Visitor Centre/Restaurant and an outside potential "marquee" area only - it does not include a specific marquee, or the Golf Driving Range and Clubhouse, which will be the subjects of separate applications. The extent of the potential "marquee" area is approximately 100m x 70m. (0.65ha.) whereas the planning consent covers an area of almost 40ha. No restrictions were placed on the operating hours of the Visitor Centre/Restaurant at the time of consent or subsequently.

It is accepted that there needs to be a comprehensive risk assessment for the premises and the Applicants are content for this, and any other matter the Licensing Sub-Committee finds of concern, to be a reserved condition of the Premises Licence. Attached to this document is a copy of the Executive Head of Community's representations with annotations from the Applicants detailing their responses.

If the Licensing Sub-Committee are of the opinion that the existing Group licensed premises within the Borough are operated in compliance with the Licensing Act 2003 then I ask that these representations are considered in that context and of the proposed Licensing Objectives and track record of the Applicants.

THE RESIDENTS.

Almost all the resident objectors are citing the potential consequences of anti-social behaviour, late opening hours and outside event disturbance as being a reason for their objections. These are perceived fears which are difficult to address, more especially since the premises are not open, but what can be said, which has a factual basis rather than an imagined one, is that the Lakeside Complex, which operates at a capacity factor six times greater than these premises will is in a much closer relationship to its neighbours and whilst opening during the same hours, has had little or no history of disruption within the community in over 42 years. Mr. Potter prides himself on the management of his licensed premises acknowledging that the slightest failure represents a significant loss to him both personally and professionally.

WITH ANNOTATED REPLIES FROM THE APPLICANTS.

REPRESENTATION FROM THE EXECUTIVE HEAD OF COMMUNITY WITH RESPECT
TO AN APPLICATION UNDER THE LICENSING ACT 2003

Applicant: Robert Ronald Potter OBE and Joanne Daphne Potter Premises: The

Water's Edge, Mychett Road, Surrey

Type of Application: For a new premises licence, the premises not having been licensed previously, for the provision of regulated entertainment, late night refreshment (indoors) and the supply of alcohol for consumption on and off the premises, such licensable activities to take place indoors and outdoors with a start time of 8 am Mondays to Sundays and finish time of 2 am Mondays to Sundays for indoor events and 23.00 for outdoor events Mondays to Sundays. Late night refreshment to take place between the hours of 23.00 to 2am Mondays to Sundays.

Date of Application: 2 December 2013

I hereby submit this representation because, in my opinion, the application on its face does not adequately address the following licensing objectives: Public safety, the protection of children from harm, the prevention of public nuisance and the prevention of crime and disorder. I would hope that all the matters raised in my representation can be addressed in an event safety plan which is satisfactory to me in respect of each of the areas I refer to below.

The reasons for my opinion are as follows:

The application provides insufficient information to enable me to properly assess how the licensing objectives will be promoted due to a lack of detail and clarity in the application documents and operating schedule, in relation to the following:

Public Safety

I address specific concerns as follows:

Marquees;

No risk assessment dealing with emergencies has been submitted in respect of the area marked on the plan with the application referring to a 'marquee area'. No other documents submitted with the application refer to marquee/s, or indicate what licensable activities it is intended will take place in such area or areas. The proposed extent of such area is undefined, over what period of time such areas will be used for licensable activities and the duration of such use during the year. Further, capacity is not indicated and no information supplied as to their anticipated capacity for seating or otherwise.

The Management Plan makes no mention of marquee areas and it is difficult to assess the suitability of measures in the promotion of this objective accordingly. I would expect measures addressing how capacities will be monitored, how staff will communicate in this area and how patrons will hear any instructions. I would also require to see event specific measures in this regard, also bearing in mind for this application, the outside capacity may be up to 5,000 persons.

There should also be risk assessments if events take place at night where sudden drops in temperature may occur causing harm to patrons, as well as demonstrating there is adequate lighting illuminating relevant pathways to toilet facilities, car parks and other exits.

I believe fire capacity safety standards have been agreed with the fire authority but this information has not been supplied with the application. The Application is not for a marquee but does include an outside area which can be used for such a purpose. Prior to any external structure – marquee – being put on this site all the relevant authorities will be consulted and an Application will be made in the normal way.

Water Safety:

There is no risk assessment with the application addressing water safety issues given this is a new establishment with events to take place in close proximity to a large lake. There is also another lake shown on the plan to the north of the site. I am particularly concerned because one of the applicants is the sole director of a company which has a recent conviction under the Health and Safety at Work etc Act 1974 in respect of its undertaking arising from the presence of a lake at other premises licensed under the Act 2003. I cannot ignore that fact.

There have been no pre application discussions in respect of this application and I can only deal with the application as made, which contains no information to address the obvious risks. I would expect to see procedures are in place to alert patrons attending functions in the proposed marquee area to the close proximity of the water and details as to the underwater profile. This will be particularly relevant if there is a sheer drop to deep water if the lake is a former extraction pit for instance. Appropriate controls to minimise risk by barriers, signage, pathways and lighting should be in place in view of this locality.

It is not clear from the application whether the applicants intend there to be any licensable water sport activities on the lake/s. If this is the case then there would need to be a specific safety plan for paying spectators. It is the Applicants intention to fully engage in comprehensive risk assessment/control measure discussions with the relevant authorities prior to opening the premises to the public.

Car Parking:

The application does not address how parking will be marshalled and the number/adequacy of space available. Given there may be both indoor and outdoor events at the same time, in the light of the proximity of residential properties, I would wish to be satisfied that procedures are in place to promote public safety. I also refer to these issues in dealing with the prevention of public nuisance. The Event Management Plan at page 17 deals with the premises Dispersal Policy. There are 169 car parking bays set out adjoining the Visitor Centre/Restaurant.

Overcrowding:

There are generic issues under this heading and more specific ones. Generically, these premises proposed for licensing can lawfully accommodate more than the 620 standing capacity given the outdoor areas, including marquees and designated space to the rear

of the building. The application is silent as to how this additional capacity will be managed, given that patrons who are outside may en masse during intervals for example, wish to use the bar and toilet facilities. The application does not address how these additional capacities will be managed, given the large expanse of outside areas. Co-ordination between indoor and outdoor areas will require careful management. With sudden inclement weather, there may be a spontaneous rush for shelter within the building and I would expect to see a plan in place dealing with this.

I do have concerns about the location of the proposed one central bar, nearer to the exits to the outside space, also taking into account the location of the toilets. It seems probable that queues for the bar will run across the space where patrons need to cross in order to get to the toilets. It will be difficult for patrons attending outside functions to enter the building if there are already queues for the bar. I repeat my views in the event of inclement weather. The potential to block fire exits and to overcrowd in particular pressure point areas is strong and will be difficult to manage as patrons will be reluctant to move and will be in a state of excitement attending events. Further, I am mindful that this application seeks to encourage the attendance of children and the risk of them being caught in a crowd surge is a particular issue without event specific management. The question of overcrowding is dealt with in the Event Management Plan at page 9 Capacity – How to prevent overcrowding. There may be a misunderstanding by the Responsible Authority inasmuch that the capacities are based solely on square meterage and in this regard it has been agreed between Surrey Fire and Rescue Service that as a Group our ratio of people per square metre is reduced from 3.3 persons to 2. and whilst on that calculation we can accommodate over 600 standing people in reality this figure is the maximum potential amount given. These premises are mainly for restaurant use with added entertainment as described in the Events Schedule and amended by the correspondence in section 9 of this Supporting Documentation Against the Representations.

Toilet Facilities:

Following on from the above, the extent of the toilet facilities at the premises is unknown in relation to the capacity of the indoor premises and further, including outside areas is also unknown. The default position is that up to 5,000 patrons may use the licensed premises. British Standard 6465-1-2006 is a standard for sanitary installations in new buildings. I am obligated to treat like premises in the district in the same way and I draw comparison with the Lakeside premises operated by one of the applicants, which has the same events schedule as proposed for these premises. I therefore regard these premises as a multi purpose entertainment venue whereby the primary purpose will be to attend the licensed event with the provision of food and drink as secondary to that purpose. In that case, the British Standard applicable will be for licensed bars, nightclubs and discos. I am mindful that inadequate facilities will compound queues for toilets at peak times, putting pressure on core areas leading to overcrowding and resort to disabled facilities or patrons may leave the premises to urinate outside. This is quite a ridiculous statement which is pure conjecture and I suggest that the Responsible Authority has regard to the fact that all licensed premises now find that the provision of food is the major factor in running a modern licensed premises business model along with some other forms of entertainment.

Use of Safety Drinkware:

I am content that drinks be consumed from their cans both indoors and outdoors and for the use of glassware inside the building. I do have an issue with the use of glassware outdoors given the possible numbers and nature of the outdoor spaces. There is a danger in summer that patrons may walk barefoot and in such large open areas and given the

presence of children it would be inappropriate for glassware to be used. For the same reasons bottles to be taken away must stay in the building and transported immediately to the exits, away from outside areas when patrons leave. The use of safety drinkware is covered in the Event Management Plan at page 9 Plastic Glasses. The Applicants seek to have control of this matter as a Management decision.

Articles and Seating:

I am happy that indoor jackets and garments of a similar length and handbags be placed on the back of seats but all other bags and outerwear should be kept in cloakrooms during events to prevent tripping and assisting in exiting in the event of fire. This can be a suitably worded condition. This should be a Management decision based upon event numbers.

Use of SIA staff:

The applicants propose SIA staff to perform roles within the ambit of the Private Security Industry Act 2001 for certain events but a ratio of such staff to patrons is not set out. I would propose the same ratio as in operation at the Lakeside premises for consistency and safety. There is no risk assessment setting out the role and duties of the proposed customer attendants. I am particularly concerned to see how the applicants propose communications between inside and outdoor staff to take place if the need to alert SIA staff arises. All SIA staff are equipped with multi-channel personal radios.

I would add that charity events will require SIA staff, if they fall within the ambit of those events using SIA staff, e.g. adult events, sports events and charity school events. It has been long established that the ratio of SIA and Customer Attendants to customers is 2 up to 100, 1 extra for each hundred or part thereof up to 500 then 1 for every 200 or part thereof beyond 500. The Applicants have adopted this standard.

Protection of Children from Harm

The application is not clear how this objective will be promoted. In particular as drafted it does not exclude children from 'adult' charity events from the events schedule for example. A suitably worded condition will overcome the perceived harm.

The smoking areas are large and there is no indication how these will be supervised for the presence of children who are to be excluded from such areas.

Children are to be subjected to noise levels at music events of up to 100 db which is extremely loud and inappropriate for children. Children do not have the choice to leave these events. The application does not say over what period this decibel level will be maintained. This point was raised by the same Responsible Authority at the Lakeside Cabaret Suite hearing and it was agreed that our booking system enables us to avert such conflicts during the planning stage of hires. The exclusion of children from the designated smoking areas will be policed by SIA/Customer Attendants and staff generally as well as by notices. Noise levels vary throughout any form of entertainment and the suggested peak 100db is a maximum that is accepted at Lakeside Cabaret Suite which is closer to residential properties.

Prevention of Public Nuisance

Noise levels:

A condition for closed doors and windows is sufficient for indoor events, but no modification is proposed in the application for outdoor events. That said I would expect measures to be taken to protect staff from constant exposure to noise at up to 100dB. The indoor sound levels must also be sufficiently low enough so as not to cause a noise disturbance to neighbouring residential properties and must be at least 10 dB below the background noise level at the boundary of the nearest residential property.

Although no risk assessments have been carried out for these premises yet – confirmed by e-mail to the Responsible Authority on 6th December 2013 – the Applicants intend to carry one out which may result in the use of ear defenders and rotation of staff working within the licensed premises as part of their statutory duty to their employees. The Applicants have no such statutory obligation to visiting members of the public.

There are no provisions for wind down time, which will assist patrons adjusting to normal noise levels when they leave the premises, with the risk that residents will be subjected to nuisance.

Given the open area of the land and proximity of residences I would require a risk assessment and monitoring of background levels to be able to agree a suitable decibel level, which would also be event and seasonally specific.

Bass sound will travel further for example and in winter, there will be less tree cover to act as an acoustic barrier.

No outdoor sound level has been proposed other than the 100db level which is completely unacceptable for this location, which includes a large expanse of water. Marquees will afford no sound attenuation properties. Could we please see the basis of this statement because as far as it is known there is no data establishing such a claim.

In the absence of a noise impact assessment a daytime and night time background noise assessment has been undertaken by the Environmental Health Dept. The daytime LA90 was found to be 58dB(A) and the night –time was found to be 45dB(A). (Figures based on readings take w/c 16 December 2013).

Given the proximity of neighbouring residential property and the quoted level by the applicant of 100 dB, the likelihood of community noise annoyance and statutory noise nuisance is high. Until actual sound tests are carried out this is speculation.

Therefore, it is proposed that no noise emitting entertainment such as amplified music, live bands etc. be allowed in the open air or within marquees as there will be little to no noise attenuation. A copy of everyday noise levels and HSE guidance are included at section 10 in the Supporting Documentation Against the Representations. The subject premises are approximately 170 metres from the rear of the closest neighbour whereas Lakeside Cabaret Suite is less than 100metres using the same volume levels and controls.

Licensing hours:

The application proposes a closing time of 2am for indoor events. I am not satisfied that car parking arrangements are adequate as referred to above in any event to prevent public nuisance from noise arising from vehicles leaving the site. I am also in opposition to a 2am finishing time on all days because of the proximity of homes and the prospect of patrons disturbing residents on leaving.

In respect of outdoor activities, I am not satisfied that nuisance will not be caused with

events taking place up to 23.00 hours each day. In the summer months there is a significant risk that residents will be disturbed in their gardens and sound is likely to travel a considerable distance given the open nature of the locality and the presence of water. In this regard the sound level is likely to cause public nuisance before the closing times proposed. Again there is no information as to whether events will take place in marquees or in the open air and I have had to assume it will be both. The previous comments are relevant here in regard to proximity to neighbours. Unfortunately, an error has been made for the timing of outdoor events to finish which should read 22.00hrs. This is covered in section 9 of the Supporting Documentation Against the Representations by way of confirmatory e-mail, dated 8th. January 2014, which should have been distributed to the Responsible Authorities.

Prevention of Crime and Disorder

This licensing objective is subject to some overlap with other objectives and the point raised under individual headings.

I believe this licensing objective may be engaged if inadequate measures are in place to control patrons' movements within the premises. For example if patrons are unable to access the bar areas or the toilets, tempers may flare, fuelled by excitement and anxiety to return to an event. Further, if car parking is inadequate or not managed adequately then again, situations may spill over so as to engage this objective.

The prevention of crime and disorder is promoted by the use of sufficient SIA trained staff and hence my belief that there should be an appropriate ratio to patrons for the events I have referred to. The Applicants believe that they have both the experience and track record to deal with any eventuality which may arise in the above circumstances and not dealt with in the Event Management Plan or the suggested Licensing Objectives.

For the reasons I have provided in respect of the submitted application I consider there is a substantial risk that the licensing objectives will be undermined and I oppose this application.



Bob Potter Leisure Limited

Wharf Road, Frimley Green, Camberley, Surrey GU16 6PT

Telephone: 01252 836 464 Facsimile: 01252 836 777

Website: www.lakesidesurrey.co.uk

D. Seekings, Esq.,

16th December 2013

Licensing Officer,

Surrey Heath Borough Council,

Knoll Road,

Camberley,

Surrey. GU15 3HD

Dear Mr. Seekings,

New Licence – The Waters Edge, Mytchett Road, Mytchett. GU16 6AG.

I am writing to confirm my e-mail to you, earlier this month, regarding the decision which Mr. Potter has now come to whereby the joint licensees have decided to withdraw the contact sport element of their Application.

Could you please let all the other consultees, and responsible authorities know that they are to disregard those parts of the Application which refer to contact sports either in the building or any temporary marquee within the site.

Yours sincerely,

for BOB POTTER LEISURE LIMITED

Glynn Evans.

(Agent for the Licensees and Personal Assistant to R. R. Potter, OBE..)

Subject: Re: Water's Edge – discrepancy in outdoor terminal hour timings
From: Glynn Evans (evans.glynn@yahoo.com)
To: Derek.Seekings@surreyheath.gov.uk;
Date: Wednesday, 8 January 2014, 19:54

Hi Derek,

Yes, I agree, this is a typing error and should read 22.00hrs throughout.

I will address this error, inter alia, in the documentation against the representations which should be with you on Monday morning.

Regards,

Glynn.

On Wednesday, 8 January 2014, 15:42, Derek Seekings <Derek.Seekings@surreyheath.gov.uk> wrote:
[Dear Glynn,](#)

[An objector has discovered a discrepancy in the Agenda relating to the application;](#)

[Page 26 Prevention of Public Nuisance paragraphs 18 and 19 impose an outside terminal hour of 2200 hours.](#)

[Page 30 'Operating Schedule' and pages 13 & 14, E & F Live & Recorded Music refer to an outdoors terminal time of 2300hrs.](#)

[Obviously the self-imposed condition relating to the earlier terminal time will override the later times within the body of the application unless you have a strong case to persuade the Committee otherwise.](#)

[My view is the matter should be addressed before the Hearing to clarify the point.](#)

[Kind Regards,](#)

[Derek](#)

[You have a very valid point which appears to have been overlooked by the applicant.](#)

[I can tell you that the conditions reflect those self-imposed at other site controlled by the same licence holder\(s\). The control measures proposed for the Water's Edge were, in all likelihood 'copied and pasted' from previous applications.](#)

[The hours requested for regulated entertainment in the form of Live Music, Recorded Music and Dancing etc are proposed from 0800 to 0200 daily. The hand written 'I' and 'O' in the operating schedule for Live Music etc are intended by the applicant to stand for 'Indoors' and 'Outdoors', therefore indicating a terminal outdoors time of 2300hrs. However, this must be overridden by the](#)

self-imposed condition 19 'of no food, drink or music shall be permitted in the outdoor areas after 2200hrs.

So the short answer is therefore 2200hrs.

The Licensing Sub Committee have the power to impose whichever conditions and terminal time they feel appropriate, and may remove any licensable activity from the licence, if granted, altogether.

Derek Seekings

Licensing Officer
Community Services
Surrey Heath Borough Council
Surrey Heath House
Knoll Road
Camberley
Surrey
GU15 3HD
DX 32722 Camberley
Direct Dial: 01276707626
Email: Derek.Seekings@surreyheath.gov.uk
<http://www.surreyheath.gov.uk/council/licensing/default.htm>
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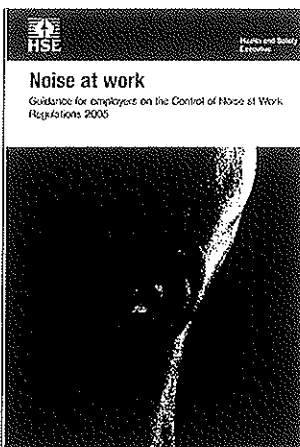
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Noise at work

Guidance for employers on the Control of Noise at Work Regulations 2005



This is a web-friendly version of leaflet INDG362(rev1), revised 10/05

Introduction

What is this leaflet about?

Loud noise at work can damage your hearing. This leaflet is to help you as an employer understand what you need to do under the Control of Noise at Work Regulations 2005 (the Noise Regulations 2005) and how you can protect your employees from noise. It will also be useful to employees and safety representatives.

This leaflet tells you about:

- how loud noise can damage hearing;
- what you have to do under the Noise Regulations 2005 to protect the hearing of your workers;
- how to assess and control noise at work;
- choosing quieter equipment and machinery;
- different types of hearing protection;
- when to inform and consult your workers;
- health surveillance.

The Control of Noise at Work Regulations 2005

The Noise Regulations 2005 require employers to prevent or reduce risks to health and safety from exposure to noise at work. Employees have duties under the Regulations too.

The Regulations require you as an employer to:

- assess the risks to your employees from noise at work;
- take action to reduce the noise exposure that produces those risks;
- provide your employees with hearing protection if you cannot reduce the noise exposure enough by using other methods;
- make sure the legal limits on noise exposure are not exceeded;
- provide your employees with information, instruction and training;
- carry out health surveillance where there is a risk to health.

The Regulations do not apply to:

- members of the public exposed to noise from their non-work activities, or making an informed choice to go to noisy places;
- low-level noise which is a nuisance but causes no risk of hearing damage.

From 6 April 2008, the Noise Regulations 2005 also apply to the music and entertainment industry. See *Sound advice* (ISBN 978 0 7176 6307 1) or look at <http://soundadvice.info>.

Do you have a noise problem at work?

This will depend on how loud the noise is and how long people are exposed to it. As a simple guide you will probably need to do something about the noise if any of the following apply:

- Is the noise intrusive – like a busy street, a vacuum cleaner or a crowded restaurant – for most of the working day?
- Do your employees have to raise their voices to carry out a normal conversation when about 2 m apart for at least part of the day?
- Do your employees use noisy powered tools or machinery for more than half an hour each day?
- Do you work in a noisy industry, eg construction, demolition or road repair; woodworking; plastics processing; engineering; textile manufacture; general fabrication; forging, pressing or stamping; paper or board making; canning or bottling; foundries?
- Are there noises due to impacts (such as hammering, drop forging, pneumatic impact tools etc), explosive sources such as cartridge-operated tools or detonators, or guns?

Noise can also be a safety hazard at work, interfering with communication and making warnings harder to hear.

How is noise measured?

Noise is measured in decibels (dB). An 'A-weighting' sometimes written as 'dB(A)', is used to measure average noise levels, and a 'C-weighting' or 'dB(C)', to measure peak, impact or explosive noises.

You might just notice a 3 dB change in noise level, because of the way our ears work. Yet every 3 dB doubles the noise, so what might seem like small differences in the numbers can be quite significant.

Some examples of typical noise levels are shown in Figure 1. This shows that a quiet office may range from 40-50 dB, while a road drill can produce 100-110 dB.

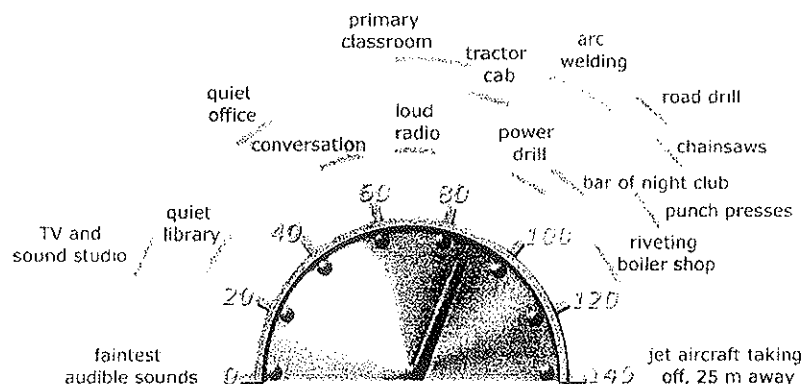


Figure 1 Examples of typical noise levels

The health effects of noise at work

Hearing loss

Noise at work can cause hearing loss which can be temporary or permanent. People often experience temporary deafness after leaving a noisy place. Although hearing recovers within a few hours, this should not be ignored. It is a sign that if you continue to be exposed to the noise your hearing could be permanently damaged. Permanent hearing damage can be caused immediately by sudden, extremely loud, explosive noises, eg from guns or cartridge-operated machines.

But hearing loss is usually gradual because of prolonged exposure to noise. It may only be when damage caused by noise over the years combines with hearing loss due to ageing that people realise how deaf they have become. This may mean their family complains about the television being too loud, they cannot keep up with conversations in a group, or they have trouble using the telephone. Eventually everything becomes muffled and people find it difficult to catch sounds like 't', 'd' and 's', so they confuse similar words.

Hearing loss is not the only problem. People may develop tinnitus (ringing, whistling, buzzing or humming in the ears), a distressing condition which can lead to disturbed sleep.

Remember: Young people can be damaged as easily as the old

Noise levels

What are the action levels and limit values?

The Noise Regulations require you to take specific action at certain action values. These relate to:

- the levels of exposure to noise of your employees averaged over a working day or week; and
- the maximum noise (peak sound pressure) to which employees are exposed in a working day.

The values are:

- lower exposure action values:
 - daily or weekly exposure of 80 dB;
 - peak sound pressure of 135 dB;
- upper exposure action values:
 - daily or weekly exposure of 85 dB;
 - peak sound pressure of 137 dB.

The actions you need to take are described in the rest of this leaflet. Figure 2 will also help you decide what you need to do.

There are also levels of noise exposure which must not be exceeded:

- exposure limit values:
 - daily or weekly exposure of 87 dB;
 - peak sound pressure of 140 dB.

These exposure limit values take account of any reduction in exposure provided by hearing protection.

Risk assessment

How do I get started?

If you answered 'yes' to any of the questions in the section 'Do you have a noise problem', you will need to assess the risks to decide whether any further action is needed, and plan how you will do it.

The aim of the risk assessment is to help you decide what you need to do to ensure the health and safety of your employees who are exposed to noise. It is more than just taking measurements of noise – sometimes measurements may not even be necessary. Your risk assessment should:

- identify where there may be a risk from noise and who is likely to be affected;
- contain a reliable estimate of your employees' exposures, and compare the exposure with the exposure action values and limit values;
- identify what you need to do to comply with the law, eg whether noise-control measures or hearing protection are needed, and, if so, where and what type; and
- identify any employees who need to be provided with health surveillance and whether any are at particular risk.

It is essential that you can show that your estimate of employees' exposure is representative of the work that they do. It needs to take account of:

- the work they do or are likely to do;
- the ways in which they do the work; and
- how it might vary from one day to the next.

Your estimate must be based on reliable information, eg measurements in your own workplace, information from other workplaces similar to yours, or data from suppliers of machinery.

You must record the findings of your risk assessment. You need to record in an action plan anything you identify as being necessary to comply with the law, setting out what you have done and what you are going to do, with a timetable and saying who will be responsible for the work.

Review your risk assessment if circumstances in your workplace change and affect noise exposures. Also review it regularly to make sure that you continue to do all that is reasonably practicable to control the noise risks. Even if it appears that nothing has changed, you should not leave it for more than about two years without checking whether a review is needed.

Competence

You need to make sure that your risk assessment:

- has been drawn up by someone who is competent to carry out the task; and
- is based on advice and information from people who are competent to provide it.

You, or people within your company, may well be competent in some or all areas. You may, however, choose or need to go to external consultants.

Control the risks

How do I control the risks from noise?

The purpose of the Noise Regulations 2005 is to make sure that people do not suffer damage to their hearing – so controlling noise risks and noise exposure should be where you concentrate your efforts.

Wherever there is noise at work you should be looking for alternative processes, equipment and/or working methods which would make the work quieter or mean people are exposed for shorter times. You should also be keeping up with what is good practice or the standard for noise control within your industry.

Where there are things you can do to reduce risks from noise, that are reasonably practicable, they should be done. However, where noise exposures are below the lower exposure action values, risks are low and so you would only be expected to take actions which are relatively inexpensive and simple to carry out.

Where your assessment shows that your employees are likely to be exposed at or above the upper exposure action values, you must put in place a planned programme of noise control.

How do I use the information from my risk assessment?

Your risk assessment will have produced information on the risks and an action plan for controlling noise. Use this information to:

- tackle the immediate risk, eg by providing hearing protection;
- identify what is possible to control noise, how much reduction could be achieved and what is reasonably practicable;
- establish priorities for action and a timetable (eg consider where there could be immediate benefits, what changes may need to be phased in over a longer period of time and the number of people exposed to the noise in each case);
- assign responsibilities to people to deliver the various parts of the plan;
- ensure the work on noise control is carried out;
- check that what you have done has worked.

How do I reduce noise?

There are many ways of reducing noise and noise exposure – often a combination of methods works best. First think about how to remove the loud noise altogether. If that is not possible, do all you can to control the noise at source, consider redesigning the workplace and reorganising working patterns. Take measures to protect individual workers if you need to. Consider the following:

- Use a different, quieter process or quieter equipment, eg:
 - can you do the work in some other quieter way?
 - can you replace whatever is causing the noise with something that is less noisy?
 - introduce a low-noise purchasing policy for machinery and equipment.
- Introduce engineering controls:
 - avoid metal-on-metal impacts, eg line chutes with abrasion-resistant rubber, and reduce drop heights;
 - vibrating machine panels can be a source of noise – add material to reduce vibration ('damping');

- isolate vibrating machinery or components from their surroundings, eg with anti-vibration mounts or flexible couplings;
- fit silencers to air exhausts and blowing nozzles.
- Modify the paths by which the noise travels through the air to the people exposed, eg:
 - erect enclosures around machines to reduce the amount of noise emitted into the workplace or environment;
 - use barriers and screens to block the direct path of sound;
 - position noise sources further away from workers.
- Design and lay out the workplace for low noise emission, eg:
 - use absorptive materials within the building to reduce reflected sound, eg open cell foam or mineral wool;
 - keep noisy machinery and processes away from quieter areas;
 - design the workflow to keep noisy machinery out of areas where people spend most of their time.
- Limit the time spent in noisy areas – every halving of the time spent in a noisy area will reduce noise exposure by 3 dB.

Proper and regular maintenance of machinery and equipment is essential as it will deteriorate with age and can become noisier. Listen out for changes in noise levels – it may be time to replace worn or faulty parts.

Specific guidance for particular industries and machines can be found in other HSE publications (look at www.hse.gov.uk). Also look at www.hse.gov.uk/noise for good practice solutions.

A low-noise purchasing policy

How can I choose quieter equipment and machinery?

Introducing a positive purchasing and hire policy can be the most cost-effective long-term measure you take to reduce noise at work. Choosing quieter equipment and machinery, whether it is bought or hired, from the start can save you the cost of introducing noise-reduction measures once it is installed or in use. You could do the following:

- Consider at an early stage how new or replacement machinery could reduce noise levels in the workplace – set a target to reduce the noise levels if possible.
- Ensure you specify a realistic noise output level for all new machinery, and check that tenderers and suppliers are aware of their legal duties.
- Ask the suppliers about the likely noise levels under the particular conditions in which you will operate the machinery, as well as under standard test conditions. If you ask the same question to all suppliers you can compare information. Noise output data will only ever be a guide as many factors affect the noise levels experienced by employees, but it will help you to buy quieter machines.
- Try to purchase or hire only from suppliers who can demonstrate a low-noise design, with noise control as a standard part of the machine, not as a costly optional extra.
- Keep a record of your decision process, to help show that you have met your legal duties to reduce workplace noise.

Remember to ask your supplier about:

- installation arrangements, eg methods of mounting and location, to ensure machinery operates as quietly as possible;
- anything about how the machine operates which could affect the noise it produces;
- maintenance arrangements to ensure the machine continues to operate properly and does not get louder over time.

Under the Health and Safety at Work etc Act 1974 and the Supply of Machinery (Safety) Regulations 1992 (as amended) a supplier of machinery must do the following:

- Provide equipment that is safe and without risk to health, with the necessary information to ensure it will be used to meet those aims.
- Design and construct machinery so that the noise produced is as low as possible.
- Provide information about the noise the machine produces under actual working conditions.

New machinery must be provided with:

- a 'Declaration of Conformity' to show that it meets essential health and safety requirements;
- a 'CE' mark;
- instructions for safe installation, use and maintenance;
- information on the risks from noise at workstations, including:
 - A-weighted sound pressure level, where this exceeds 70 dB;
 - maximum C-weighted instantaneous sound pressure level, where this exceeds 130 dB;
 - sound power (a measure of the total sound energy) emitted by the machinery, where the A-weighted sound pressure level exceeds 85 dB;
- a description of the operating conditions under which the noise tests were carried out.

Hearing protection

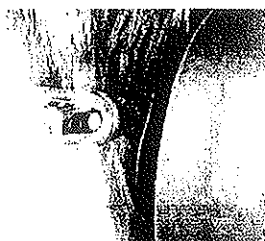
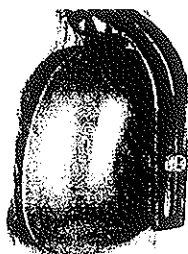
When should hearing protection be used?

Hearing protection should be issued to employees:

- where extra protection is needed above what has been achieved using noise control;
- as a short-term measure while other methods of controlling noise are being developed.

You should not use hearing protection as an alternative to controlling noise by technical and organisational means.

Give HSE's pocket card INDG363(rev1) *Protect your hearing or lose it!* to your employees to remind them to wear their hearing protection.



The problems of fitting earmuffs (eg with long hair, safety glasses or jewellery)



Correct



Incorrect

The correct and incorrect fitting of earplugs

What does the law require employers to do?

You are required to:

- provide your employees with hearing protectors if they ask for them and their noise exposure is between the lower and upper exposure action values;
- provide your employees with hearing protectors and make sure they use them properly when their noise exposure exceeds the upper exposure action values;
- identify hearing protection zones, ie areas where the use of hearing protection is compulsory, and mark them with signs if possible;
- provide your employees with training and information on how to use and care for the hearing protectors;
- ensure that the hearing protectors are properly used and maintained.

How can hearing protection be used effectively?

Do:

- make sure the protectors give enough protection – aim at least to get below 85 dB at the ear;
- target the use of protectors to the noisy tasks and jobs in a working day;
- select protectors which are suitable for the working environment – consider how comfortable and hygienic they are;
- think about how they will be worn with other protective equipment (eg hard hats, dust masks and eye protection);
- provide a range of protectors so that employees can choose ones which suit them.

Don't:

- provide protectors which cut out too much noise – this can cause isolation, or lead to an unwillingness to wear them;
- make the use of hearing protectors compulsory where the law doesn't require it;
- have a 'blanket' approach to hearing protection – better to target its use and only encourage people to wear it when they need to.

What about maintenance?

You will need to make sure that hearing protection works effectively and check that:

- it remains in good, clean condition;
- earmuff seals are undamaged;
- the tension of the headbands is not reduced;
- there are no unofficial modifications;
- compressible earplugs are soft, pliable and clean.

What checks do I have to make?

You need to make sure that employees use hearing protection when required to. You may want to:

- include the need to wear hearing protection in your safety policy. Put someone in authority in overall charge of issuing it and making sure replacements are readily available;

- carry out spot checks to see that the rules are being followed and that hearing protection is being used properly. If employees carry on not using it properly you should follow your normal company disciplinary procedures;
- ensure all managers and supervisors set a good example and wear hearing protection at all times when in hearing protection zones;
- ensure only people who need to be there enter hearing protection zones and do not stay longer than they need to.

Information, instruction and training

What do I need to tell my employees?

It is important that employees understand the risks they may be exposed to. Where they are exposed above the lower exposure action values you should at least tell them:

- the likely noise exposure and the risk to hearing this noise creates;
- what you are doing to control risks and exposures;
- where and how people can obtain hearing protection;
- how to report defects in hearing protection and noise-control equipment;
- what their duties are under the Noise Regulations 2005;
- what they should do to minimise the risk, such as the proper way to use hearing protection and other noise-control equipment, how to look after it and store it, and where to use it;
- your health surveillance systems.

Make sure you give information in a way the employee can be expected to understand (for example you might need to make special arrangements if the employee does not understand English or cannot read).

Employee and safety representatives

Consulting with trade union-appointed safety representatives or other employee representatives is a legal requirement. Working with safety representatives and employees' representatives is a very useful means of communicating about health and safety matters in your workplace. For example, discuss with them your risk assessment and action plan, including any proposal to average exposure over a week, selection of hearing protection, any hearing protection zones and your health surveillance programme.

Remember: Involving your employees in decisions can help improve working relationships, make your employees more receptive to new ideas and help you control exposure to noise.

Health surveillance

Providing health surveillance

You must provide health surveillance (hearing checks) for all your employees who are likely to be frequently exposed above the upper exposure action values, or are at risk for any reason, eg they already suffer from hearing loss or are particularly sensitive to damage.

The purpose of health surveillance is to:

- warn you when employees might be suffering from early signs of hearing damage;
- give you an opportunity to do something to prevent the damage getting worse;
- check that control measures are working.

Consult your trade union safety representative, or employee representative and the employees concerned before introducing health surveillance. It is important that your employees understand that the aim of health surveillance is to protect their hearing. You will need their understanding and co-operation if health surveillance is to be effective.

What is health surveillance?

Health surveillance for hearing damage usually means:

- regular hearing checks in controlled conditions;
- telling employees about the results of their hearing checks;
- keeping health records;
- ensuring employees are examined by a doctor where hearing damage is identified.

Ideally you would start the health surveillance before people are exposed to noise (ie for new starters or those changing jobs), to give a baseline. It can, however, be introduced at any time for employees already exposed to noise. This would be followed by a regular series of checks, usually annually for the first two years of employment and then at three-yearly intervals (although this may need to be more frequent if any problem with hearing is detected or where the risk of hearing damage is high).

The hearing checks need to be carried out by someone who has the appropriate training. The whole health surveillance programme needs to be under the control of an occupational health professional (for example a doctor or a nurse with appropriate training and experience). You, as the employer, have the responsibility for making sure the health surveillance is carried out properly.

How can I arrange health surveillance?

Larger companies may have access to in-house occupational health services who may be able to carry out the programme. Where there are no facilities in-house you will need to use an external contractor. You may be able to find out about occupational health services through your trade association, or through local business support organisations.

What should I expect from an occupational health service provider?

A suitable occupational health service provider will be able to show you that they have the training and experience needed. They should be able to:

- advise you on a suitable programme for your employees;
- set up the programme;
- provide suitably qualified and experienced staff to carry out the work;
- provide you with reports on your employees' fitness to continue work with noise exposure.

What do I have to do with the results of health surveillance?

Use the results to make sure your employees' hearing is being protected. You will need to:

- keep records of the health surveillance and fitness-for-work advice provided for each employee (but not the confidential medical records which are kept by the doctor). A health and safety inspector can ask to see the health records as part of their checks that you are complying with the Regulations;
- make employees' records available to them;
- act upon any recommendations made by the occupational health service provider about employees' continued exposure to noise;
- use the results to review and, if necessary, revise your risk assessment and your plans to control risks.

Analysing the results of your health surveillance for groups of workers can give you an insight into how well your programme to control noise risks is working. Use the results to target your noise reduction, education and compliance practices more accurately. Make this information available to employee or safety representatives.

Remember

By law, as an employer, you must assess and identify measures to eliminate or reduce risks from exposure to noise so that you can protect the hearing of your employees.

Where the risks are low, the actions you take may be simple and inexpensive, but where the risks are high, you should manage them using a prioritised noise-control action plan.

Where required, ensure that:

- hearing protection is provided and used;
- any other controls are properly used; and
- you provide information, training and health surveillance.

Review what you are doing if anything changes that may affect the noise exposures where you work. Look at HSE's noise website: www.hse.gov.uk/noise for more information.

Further information

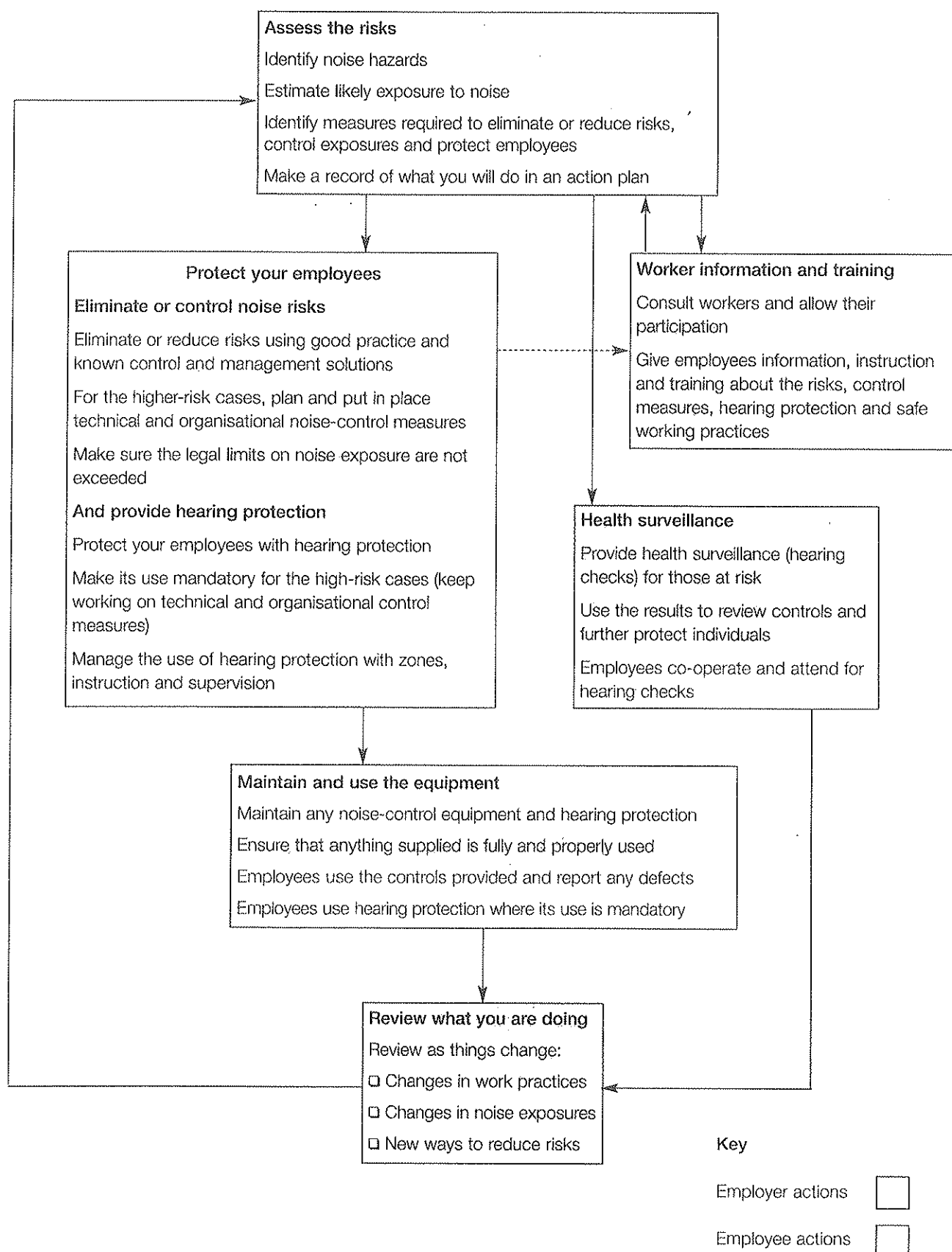
For information about health and safety, or to report inconsistencies or inaccuracies in this guidance, visit www.hse.gov.uk/. You can view HSE guidance online and order priced publications from the website. HSE priced publications are also available from bookshops.

This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

This leaflet is available in priced packs of 10 from HSE Books, ISBN 978 0 7176 6165 7. Single copies are free and a web version can be found at: www.hse.gov.uk/pubns/indg362.pdf.

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Figure 2 Managing noise risks





Noise Help

[Home](#)

[Examples of noise](#)

[How it affects you](#)

SOLUTIONS!

[Ear plugs, ear muffs](#)

[White noise](#)

[Noise cancellation](#)

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Noise Level Chart

A noise level chart showing examples of sounds with dB levels ranging from 0 to 180 decibels.

dB	Example	Home & Yard Appliances	Workshop & Constr
0	healthy hearing threshold		
10	a pin dropping		
20	rustling leaves		
30	whisper		
40	babbling brook	computer	
50	light traffic	refrigerator	
60	conversational speech	air conditioner	
70	shower	dishwasher	
75	toilet flushing	vacuum cleaner	
80	alarm clock	garbage disposal	
85	passing diesel truck	snow blower	
90	squeeze toy	lawn mower	arc welder
95	inside subway car	food processor	belt sander
100	motorcycle (riding)		handheld drill
105	sporting event		table saw
110	rock band		jackhammer
115	emergency vehicle siren		riveter
120	thunderclap		oxygen torch
125	balloon popping		
130	peak stadium crowd noise		
135	air raid siren		
140	jet engine at takeoff		
145	firecracker		
150	fighter jet launch		
155	cap gun		
160	shotgun		
165	.357 magnum revolver		
170	safety airbag		
175	howitzer cannon		
180	rocket launch		
194	sound waves become shock waves		

Most noise levels are given in [dBA](#), which are decibels adjusted to reflect the ear's response to different of sound. Sudden, brief impulse sounds, like many of those shown at 120 dB or greater, are often given i adjustment).