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**From:** Steven Horsler  
**Sent:** 12 April 2019 16:14  
**To:** Roy Keepax  
**Cc:** Kerry Pitt-Kerby  
**Subject:** Licence Application 047107 Bredy Farm

Roy

I must **object** to this application on the grounds that there is inadequate information to satisfy The Council that this application will meet the following Licensing Objective: 'The Prevention of Public Nuisance'.

The application is for a licence which would permit the playing of live and recorded music outdoors throughout the year. There has been a history of complaints about music noise from similar activities at this location, leading to the service in autumn 2018 of an abatement notice under the Environmental Protection Act 1990. This notice is still in force. However, in the event of future receipt of complaints, the onus would be on the Council to prove any breach of the notice. Therefore it is particularly important that The Council takes this opportunity to seek to prevent public nuisance via the Licensing regime.

In order to remove my objection, the applicant should submit a noise management plan. This should reflect the principles in The Noise Council's Code of Practice on Environmental Noise Control at Concerts. It is very strongly recommended that the applicant utilises the services of a competent acoustic consultant to assist in this process, as such a professional will be very familiar with such matters.

Whilst officers can outline in broad terms the matters that a Noise Management Plan should include, it is for the applicant to produce the plan.

**Steven Horsler**  
**Environmental Health Officer (Environmental Protection)**

**Environmental Health**  
**Dorset Council**

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**From:** Steven Horsler  
**Sent:** 16 April 2019 13:12  
**To:** Roy Keepax  
**Cc:** Kerry Pitt-Kerby  
**Subject:** FW: Licence Application 047107 Bredy Farm

Roy

I note that Bredy Farm have brought to our attention a Noise Reduction report already produced for them by Netherbound Limited. This is not entirely relevant to the current licence application, and does not itself enable the Council to be satisfied that the public nuisance objective will be met.

However, I have now had more time to consider the matter, and I do think that this objective could be satisfied with a **suitably revised and implemented noise management plan**. I can therefore remove my objection, on the understanding that a condition be imposed in the following terms:

1. **Within two months** of the granting of the licence, a Noise **Management Statement and Plan** shall **be produced** by a **suitably qualified acoustic consultant** and **submitted** to the Licensing Authority for approval. The plan shall appropriately reflect the **Guidelines** in Sections 3.1, 3.2, 3.3, 3.4, 3.5, 3.7, 3.8, 3.9, 3.10, 4.2, 4.3, 4.7, 4.8 (\*see note), 4.9, 4.10, 4.11 and 4.12 of The Code of Practice on Environmental Noise at Concerts, as produced by The Noise Council ('The Code').

\*In relation to Section 4.8, it is not expected that such sound tests should **be performed before** every event. However, such a **test** should **be performed** after any significant change to the sound system or attenuation measures, and at least once every year.

In particular, **but without prejudice** to the generality of Condition 1, **the following** conditions shall apply. (Note that a **suitably worded Noise Management Plan**, as required by Condition 1, should include provisions to address these **following points**):

2 **Within two months** of the granting of the licence, The acoustic consultant shall **identify** appropriate sensitive receptors which may **be** affected by noise from the Licensed Premises. These will be sensitive premises likely to **experience the largest** increase in noise/highest noise level as a result of noise from the Licensed Premises. These shall **be submitted** to the Licensing Authority for approval. The acoustic consultant shall carry out a survey to determine **the background** noise levels (as defined by the **Code of Practice on Environmental Noise Control at Concerts**) at **these** receptor locations, or locations acoustically representative of them. The **information obtained** from **this** survey shall be made available to the Licensing Authority. This exercise shall **be repeated** annually.

3. **Within two months** of the granting of the licence, or as soon as a music event is **being** prepared (whichever comes sooner), a noise **propagation** test shall be **undertaken** in order to set appropriate control limits at the sound mixer **position**. The sound system shall **be configured** and **operated** in a similar manner as **intended for the actual music events**. The sound source used for the test shall **be** similar in character to the music likely to be produced during the events.

4. The control limits set at **the mixer position** shall be adequate to ensure that the **Music Noise Level (MNL)** (as defined in The Code ) shall not reasonably foreseeably at any noise sensitive premises exceed the background noise level by more **than 15dB(A)** over a **15minute period** throughout the duration of music events, rehearsals, or other checks.

5. The Licensee shall ensure that the promoter, sound system supplier, sound engineers and any other personnel with responsibilities **affecting noise levels** are **informed** of the sound control limits and that any instructions from the acoustic consultant **regarding noise levels** shall be implemented.

6. The Licensee shall ensure **that** the appointed acoustic consultant makes arrangements for the continual monitoring (**with a sound level meter**) of noise levels at **the sound mixer position**, and for prompt **feedback to the sound engineer** accordingly to ensure that **the noise limits** are not exceeded. The Licensing Authority shall have access to the results of the noise monitoring at any time.

7.0 Music events shall be run in accordance with the Noise Management Statement and Plan.

8.0 The licensee shall take all reasonable steps to ensure that the music noise levels (MNL) arising from the licensable activities do not exceed the limit set in Condition 4. at the sensitive receptors identified in response to Condition 2.

9.0 Measurements will include octave and one third octave band measurements where useful in identification of any intrusive frequency. In particular measurements required by Condition 6 will be made at 63Hz and 125Hz octave bands.

10. A written record of the method by which monitoring and measurements were undertaken shall be made by the acoustic consultant and maintained by or on behalf of the Licensee.

11. All noise measurements shall be undertaken in accordance with recognised professional acoustic practice. Written proof shall be available on request by the Licensing Authority that any sound level meter used in pursuit of compliance with these conditions has been appropriately calibrated within a suitable timescale before its use.

12. In the event of the limits in Condition 4 being exceeded, or it being determined as necessary to reduce the noise levels to these limits, then in either case the Licensee shall:

- a) Take and keep a written record of the time and date when such levels are exceeded or the noise levels are required to be reduced (as the case may be);
- b) Take and keep a written record of every step undertaken to reduce the noise levels below the limits and the time when such action was taken; and
- c) Produce such a written record to any officer of the Council (or other person appointed to act upon its behalf) upon request.

13. All data in respect of the monitoring carried out in pursuit of compliance with these conditions shall be in writing and that information, together with that secured by virtue of conditions 2 and 3 above, shall be both provided to the Licensing Authority within 15 working days of any request by the Licensing Authority. The information shall be provided:

- (a) Unedited form; and
- (b) Such other additional form(s) as the Licensing Authority may at any time require in writing

14. Live and recorded music shall be played only within the hours specified on the Application for Premises Licence 047107. (Set out if necessary)

Happy to discuss.

Steve

**Steven Horsler**  
**Environmental Health Officer (Environmental Protection)**

**Environmental Health**  
**Dorset Council**

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