

APPENDIX 3

Holland, Linda

From: Francis, Claire
Sent: 12 July 2011 11:58
To: Holland, Linda
Subject: FW: Licensing Review - The Black Horse, 62 New Road, Chippenham

Linda,

Regarding the above, I would make the following observations:

1. For the last two years the Environmental Protection Team have received multiple complaints regarding excessive noise from amplified music in a marquee over the Folk Festival weekend. The complaints have come from residents in St. Mary's Place and Foghamshire, and also Providence Terrace .
2. This is hardly surprising in that the facades of the properties in Foghamshire are within 10m of the boundary of the Black Horse Car Park. Therefore, with likely external source levels of 95-100dB(A) at 3m from the speakers, this will invariably result in levels in 85-90dB(A) in the gardens or at the facades of these properties. Likewise, the levels at properties in St Mary's Place and Providence Terrace are likely be in the region of 65-70dB(A). These levels may be exacerbated or reduced by a few dB(A) due to wind-speeds or screening features, but I can confirm that notwithstanding this, they are indeed significant.
3. Whilst, the Licence for the premises allows 'external' live music, the noise impact locally is driven by the frequency and loudness of such events . In my opinion, it is a case of striking a balance between the reasonable operation of a Town Centre pub and ensuring that nearby residents do not suffer an adverse noise impact that may constitute a statutory noise nuisance.
4. I have considered the possibility of a recommendation of just 3 outdoor events per year, but with at least a 30 day interval between such events. The Licensee has stated that during the Folk Festival weekend, he would only operate externally on the Friday and the Sunday, so as that there will not be 3 consecutive days of music and will also stop the music at 23:00 hours.
5. Alternatively, the source noise levels could be limited to 75-80dB(A) at 3m from the speakers. This would mean that the properties in Foghamshire should not exceed 65dB(A) at the facade, which would be the 'regulated' level that we would apply to a 3 day outdoor music festival. It may be that due to the limited space in the marquee, this level still ensures that the audience are able to enjoy the performance, but that nearby residents are not unduly disturbed. The sound checks should be calibrated to these levels and any simple analogue or digital sound level meter will suffice in this regard.
6. There are several ways to resolve this and I hope that the above advice gives those attending the Hearing , sufficient information to be able to attain a reasonable compromise.
7. I am happy for the content of this email to be shared with those that may require such information.

Regards

Claire

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