

### **Licensing sub committee**

**Date:** Wednesday, 10 February 2016

**Time:** 15:00

**Venue:** Westwick room

**City Hall, St Peters Street, Norwich, NR2 1NH**

**Pre-meeting briefing for members of the committee only  
15 minutes before the start of the meeting**

**Committee members:**

**For further information please contact:**

**Councillors:**

Button

Jones

Ryan

**Committee officer:** Lucy Palmer

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e: [lucypalmer@norwich.gov.uk](mailto:lucypalmer@norwich.gov.uk)

Democratic services

City Hall

Norwich

NR2 1NH

[www.norwich.gov.uk](http://www.norwich.gov.uk)

### **Information for members of the public**

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website.

## Agenda

### 1 Apologies

To receive apologies for absence

### 2 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

### 3 **Licensing Act 2003 Application for the grant of a fixed term premises licence - Norfolk & Norwich Festival Trust** 3 - 100

**Purpose** - Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider the application for the grant of a premises licence in respect of Norfolk & Norwich Festival Trust, Chapelfield Gardens, Chapelfield East, Norwich, NR2 1SF for the period 18 –29th May 2016, following the receipt of relevant representations

Date of publication: **Tuesday, 02 February 2016**

<b>Report to</b>	Licensing sub committee 10 February 2016	<b>Item</b>
<b>Report of</b>	Head of citywide services	<b>3</b>
<b>Subject</b>	Licensing Act 2003: Application for the grant of a fixed term premises licence - Norfolk & Norwich Festival Trust, Chapelfield Gardens, Chapelfield East, Norwich, NR2 1SF	

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## Purpose

Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider the application for the grant of a premises licence in respect of Norfolk & Norwich Festival Trust, Chapelfield Gardens, Chapelfield East, Norwich, NR2 1SF for the period 18 –29th May 2016, following the receipt of relevant representations.

## Recommendation

That members determine the application to grant a premises licence for the period 18– 29 May 2016 in respect of the Norfolk & Norwich Festival Trust Chapelfield Gardens Chapelfield East Norwich NR2 1SF in accordance with the:

- Licensing Act 2003;
- Guidance issued under Section 182 of the Licensing Act 2003; and
- Norwich City Council Statement of Licensing Policy.

## Corporate and service priorities

The report helps to meet the corporate priority of a safe and clean city and the service plan priority of protecting the interests of the public through the administration of the licensing function.

## Financial implications

None.

**Ward/s:** All wards

**Cabinet member:** Councillor Driver – Neighbourhoods and community safety

## Contact officers

Tony Shearman, Licensing manager

01603 212761

## Background documents

None

# Report

## The application

1. The applicant is Alex Darbyshire who is clerk to the Norfolk & Norwich Festival Trust, Augustine Steward House, 14 Tombland, Norwich, NR3 1HF.
2. The application seeks to allow the licensable activities of:
  - the provision of plays (indoors and outdoors)
  - the provision of films (indoors and outdoors)
  - the provision of live music (indoors and outdoors)
  - the provision of recorded music (indoors and outdoors)
  - the provision of performances of dance (indoors and outdoors)
  - the provision of anything of a similar description to live music, recorded music or performances of dance (indoors and outdoors)
  - late night refreshment (indoors and outdoors)
  - the supply of alcohol for consumption on the premises.
3. The proposed standard days and hours for the licensable activities are:

The provision of plays (indoors and outdoors):

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00
Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of films (indoors and outdoors)

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00

Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of live music (indoors and outdoors):

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00
Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of recorded music (indoors and outdoors):

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00
Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of performances of dance (indoors and outdoors):

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00

Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

The provision of anything of a similar description to live music, recorded music or performances of dance (indoors and outdoors):

Monday	10.30 – 01.00
Tuesday	10.30 – 01.00
Wednesday	10.30 – 01.00
Thursday	10.30 – 01.00
Friday	10.30 – 02.00
Saturday	10.30 – 02.00
Sunday	10.30 – 00.00

Late night refreshment – (indoors and outdoors):

Monday	23.00 – 01.00
Tuesday	23.00 – 01.00
Wednesday	23.00 – 01.00
Thursday	23.00 – 01.00
Friday	23.00 – 02.00
Saturday	23.00 – 02.00
Sunday	23.00 – 00.00

Supply of alcohol (for consumption on the premises):

Monday	11.00 – 01.00
Tuesday	11.00 – 01.00
Wednesday	11.00 – 01.00

Thursday	11.00 – 01.00
Friday	11.00 – 02.00
Saturday	11.00 – 02.00
Sunday	11.00 – 00.00

4. The opening hours of the premises are:

Monday	10.00 – 01.30
Tuesday	10.00 – 01.30
Wednesday	10.00 – 01.30
Thursday	10.00 – 01.30
Friday	10.00 – 02.30
Saturday	10.00 – 02.30
Sunday	10.00 – 00.30

5. A copy of the application and operating schedule, with the steps put forward by the applicant to promote the licensing objectives is attached at appendix A to the report.
6. In addition to the proposed controls the applicant has agreed with Environmental Protection a slight amendment to the operating schedule condition 8.3.4.2 to read:-
- Recorded sound levels from the previous evening will be emailed daily to Environmental Health and at any other time requested, by the Spiegeltent General Manager. The recordings will include a record of noise levels (dB LAeq 5 mins) during any regulated entertainment, recorded on a device approved by Norwich City Council, in a format that the authority is able to assess. Such equipment shall be agreed in writing 7 days before the start of any regulated entertainment.

### **Relevant representations**

7. The responses from the Responsible Authorities are as follows:

Police – no representations

Environmental Protection – no representations.

Fire Officer – no representations.

Planning Officer – no representations.

Area Child Protection Committee – no representations.

Trading Standards – no representations.

Primary Care Trust – no representations

8. Relevant representations have been received from 2 local residents in respect of the application with concerns which appear primarily to relate to the licensing objective of the prevention of public nuisance. Copies of the representations received are attached at appendix B to the report, which also includes a site map of the area identifying the application premises in relation to the relevant representation party addresses.

### **Norwich City Council Statement of Licensing Policy**

9. Attached at appendix C are the elements of the City Council's local Licensing Policy which are considered to have a bearing upon the application:

### **National Guidance (issued under section 182 of the Licensing Act 2003)**

10. Attached at appendix D are the elements of the National Guidance issued by the Secretary of State that are considered to have a bearing upon the application.

### **Summary**

11. In determining the application with a view to promoting the licensing objectives the Sub-Committee must give appropriate weight to:
  - the steps that are appropriate to promote the licensing objectives (i.e. the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm);
  - the representations (including supporting information) presented by all the parties;
  - the guidance issued under Section 182 of the Licensing Act 2003 (National Guidance); and
  - the Council's own statement of licensing policy.
12. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
  - Grant the application as asked;
  - Modify the conditions of the licence by altering or omitting or adding to them;
  - Reject the whole or part of the application
13. The Sub-Committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.
14. The representations received appear to relate to issues that fall under the licensing objective of the prevention of public nuisance. The Sub-Committee is directed to



paragraph 24 of the local licensing policy at appendix D which contain examples of factors that impact on the licensing objective that the applicant could consider when addressing these issues. These paragraphs also contains examples of control measures that may be taken into account in operating schedules having regard to the type of premises and/or the licensable activities.

15. The sub-committee is also reminded of the contents of appendices 2, 3, 4 and 5 of the local licensing policy (not re-produced in this report) which contain pools of model conditions relating to the four licensing objectives.

## APPENDIX A



**Norwich**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensingapplications@norwich.gov.uk](mailto:licensingapplications@norwich.gov.uk)  
 Telephone: 0344 980 3333

\* required information

**Section 1 of 19**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

NNF16 Chapelfield Gardens

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

Alex

\* Family name

Darbyshire

\* E-mail

alex@nnfestival.org.uk

Main telephone number

01603 877750

Include country code.

Other telephone number

☒ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

\* Is the applicant's business registered in the UK with Companies House?

☐ Yes

☒ No

\* Is the applicant's business registered outside the UK?

☐ Yes

☒ No

\* Business name

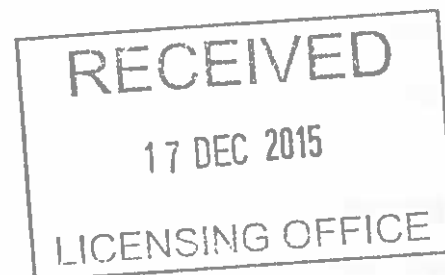
Norfolk &amp; Norwich Festival Trust

If the applicant's business is registered, use its registered name.

\* VAT number

- none

Put "none" if the applicant is not registered for VAT.



Continued from previous page...

\* Legal status

\* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Applicant Business Address**

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

☐ A private individual acting as an agent

**Agent Business**

\* Is your business registered in the UK with Companies House? ☒ Yes ☐ No

\* Registration number

\* Business name

If your business is registered, use its registered name.

\* VAT number

Put "none" if you are not registered for VAT.

\* Legal status

*Continued from previous page...*

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

### Section 3 of 19

#### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☐ A limited company
- ☐ A partnership
- ☐ An unincorporated association
- ☐ A recognised club
- ☒ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales
- ☐ Other (for example a statutory corporation)

### Section 4 of 19

#### NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

##### Non Individual Applicant's Name

Name

##### Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

#### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

#### Contact Details

E-mail

Telephone number

Other telephone number

### Section 5 of 19

#### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

Public gardens situated within the City inner ring road bordered by Chapel Field North, Chapel Field East and Chapel Field Road.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

### Section 6 of 19

#### PROVISION OF PLAYS

Continued from previous page...

Will you be providing plays?

☒ Yes

☐ No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

Give timings in 24 hour clock.

(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

End

Start

End

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

Will the performance of a play take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Activities will include free outdoor performances, ticketed performances in the Spiegeltent, smaller scale tent-based shows including in the outdoor performance area, walkabout street theatre performances and installation-based outdoor performances. There will be a mixture of amplified and acoustic performance as part of the drama programme. Daytime performances will be suitable for families. Sound levels will be carefully controlled and kept within limits and times set to the same levels as in 2015, details of which can be found in the accompanying operating schedule.

State any seasonal variations for performing plays

Continued from previous page...

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

## Section 7 of 19

### PROVISION OF FILMS

Will you be providing films?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start 10:30

End 01:00

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

##### TUESDAY

Start 10:30

End 01:00

Start

End

##### WEDNESDAY

Start 10:30

End 01:00

Start

End

##### THURSDAY

Start 10:30

End 01:00

Start

End

##### FRIDAY

Start 10:30

End 02:00

Start

End

##### SATURDAY

Start 10:30

End 02:00

Start

End



Continued from previous page...

SUNDAY

Start 10:30

End 00:00

Start

End

Will the exhibition of films take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

The presentation of films could be within the Spiegeltent and/or the outdoor performance area (tent). Accompanying recorded soundtracks amplified sound levels will be carefully controlled and kept within limits and times set to the same levels as in 2015, details of which can be found in the accompanying operating schedule. Silent film would be accompanied by live music (either acoustic or amplified).

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

#### Section 8 of 19

##### PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

☐ Yes ☒ No

#### Section 9 of 19

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

#### Section 10 of 19

##### PROVISION OF LIVE MUSIC

Will you be providing live music?

☒ Yes ☐ No

##### Standard Days And Timings

Continued from previous page...

MONDAY

Start 10:30

End 01:00

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start 10:30

End 01:00

Start

End

WEDNESDAY

Start 10:30

End 01:00

Start

End

THURSDAY

Start 10:30

End 01:00

Start

End

FRIDAY

Start 10:30

End 02:00

Start

End

SATURDAY

Start 10:30

End 02:00

Start

End

SUNDAY

Start 10:30

End 00:00

Start

End

Will the performance of live music take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not  
exclusively) whether or not music will be amplified or unamplified.

Activities will include free outdoor performances, ticketed performances in the Spiegeltent, smaller scale tent-based shows including in the outdoor performance area, walkabout street theatre performances and installation-based outdoor performances. There will be a mixture of amplified and acoustic music as part of this programme. Daytime performances will be suitable for families. Sound levels will be carefully controlled and kept within limits and times set to the same levels as in 2015, details of which can be found in the accompanying operating schedule. To help minimise noise pollution we will not be playing any live music after 11 pm in the outside performance area on all nights.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

## Section 11 of 19

### PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

##### SATURDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

Continued from previous page...

SUNDAY

Start 10:30

End 00:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Activities will include free outdoor performances, ticketed performances in the Spiegeltent, smaller scale tent-based shows including in the outdoor performance area, walkabout street theatre performances and installation-based outdoor performances. Daytime performances will be suitable for families. Sound levels will be carefully controlled and kept within limits and times set to the same levels as in 2015, details of which can be found in the accompanying operating schedule.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

## Section 12 of 19

### PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

☒ Yes

☐ No

#### Standard Days And Timings

MONDAY

Start 10:30

End 01:00

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start 10:30

End 01:00

Start

End

Continued from previous page...

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

Will the performance of dance take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Dance performances may be included in ticketed performances in the Spiegeltent, smaller scale tent-based shows, walkabout street theatre performances and installation-based outdoor performances. There will be a mixture of amplified and acoustic music as part of this programme.

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Continued from previous page...

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

☒ Yes ☐ No

**Standard Days And Timings**

**MONDAY**

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

**TUESDAY**

Start

End

Start

End

**WEDNESDAY**

Start

End

Start

End

**THURSDAY**

Start

End

Start

End

**FRIDAY**

Start

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End

**SATURDAY**

Start

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Start

End

**SUNDAY**

Start

End

Start

End

Give a description of the type of entertainment that will be provided

Other entertainment may include but not be limited to ticketed and free circus, variety, cabaret and burlesque performances in the Spiegeltent and in the Gardens as part of the Norfolk & Norwich Festival programme.

Will this entertainment take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

**Continued from previous page...**

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Performances will be accompanied by live (amplified and acoustic) and recorded music.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

## Section 14 of 19

### LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start 23:00

End 02:00

Start

End

SATURDAY

Start 23:00

End 02:00

Start

End

SUNDAY

Start 23:00

End 00:00

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors

☐ Outdoors

☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Hot food and drink will be available to NNF festival audience members.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No



Continued from previous page...

### Standard Days And Timings

#### MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

#### TUESDAY

Start

End

Start

End

#### WEDNESDAY

Start

End

Start

End

#### THURSDAY

Start

End

Start

End

#### FRIDAY

Start

End

Start

End

#### SATURDAY

Start

End

Start

End

#### SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- ☒ On the premises    ☐ Off the premises    ☐ Both

If the sale of alcohol is for consumption on  
the premises select on, if the sale of alcohol  
is for consumption away from the premises  
select off. If the sale of alcohol is for  
consumption on the premises and away  
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

*Continued from previous page...*

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number  
(if known)

Issuing licensing authority  
(if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☒ Electronically, by the proposed designated premises supervisor
- ☐ As an attachment to this application

Reference number for consent  
form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Performances programmed in the late evening slot in the Spiegeltent are advertised as suitable for ages 14 and over only, with audience aged 14 to 17 years old must be accompanied by a responsible adult. Where appropriate, age restrictions will be put on specific performances in the Spiegeltent. All performances outside of the Spiegeltent will be suitable for children and families.

## Section 17 of 19

### HOURS PREMISES ARE OPEN TO THE PUBLIC

#### Standard Days And Timings

##### MONDAY

Start 10:00

End 01:30

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

##### TUESDAY

Start 10:00

End 01:30

Start

End

##### WEDNESDAY

Start 10:00

End 01:30

Start

End

##### THURSDAY

Start 10:00

End 01:30

Start

End

##### FRIDAY

Start 10:00

End 02:30

Start

End

##### SATURDAY

Start 10:00

End 02:30

Start

End

##### SUNDAY

Start 10:00

End 00:30

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

N/A

## Section 18 of 19

### LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Norfolk & Norwich Festival event organisers undertake a consultation and planning development process with the local authority, statutory bodies, a professional security company, Spiegel tent General Manager (NNF freelance appointment) experienced stewards and other interested parties through a series of round table meetings, conversations and discussions. An operating schedule and risk assessment are developed alongside these meetings and distributed to all agencies and personnel. These documents outline the agreed policies and procedures of all aspects of the event, including the 4 licensing objectives and form the basis of briefings and documentation given to event personnel prior to the event. A professional security company and experienced stewarding staff will be in attendance throughout to ensure the smooth running and management of the events in the Festival Gardens. Security and stewarding staff will report directly to the Site Manager/Health & Safety Advisor who will have responsibility for the management of the site delegated to them by NNF Management Team overseen by the Spiegel tent General Manager. All systems and procedures will be defined by the NNF Management Team in consultation with an experienced Health & Safety Advisor. An emergency contact number will be visibly displayed around Chapelfield Gardens and checked regularly so that anyone who has concerns can call.

b) The prevention of crime and disorder

Event organisers and the professional security company will work with Police to identify and plan for any potential threats to crime and disorder. The Police will be consulted before and during the event to minimise the impact of crime and disorder. Stewards and security will be located prominently and be visible throughout the event to manage crowds and report any issues to the Site Manager/Spiegel tent General Manager. SIA security will be employed as detailed in the security section of the Operating Schedule.

All Festival staff, Spiegel tent General Manager, stewards, Site Manager, along with Security Chief Steward will carry radios at all times when on duty.

Any incident-reporting and authorising of remedial action will be done via Site Manager or Spiegel tent General Manager.

c) Public safety

A detailed risk assessment has been undertaken for the event as a whole and individual artists and performers are also supplying their own performance-related risk assessments. Appropriate measures will be taken to ensure the safety of all performers, staff and general public. Event equipment and structures will be stewarded or cordoned off to prevent public access where deemed appropriate. Stewards and security personnel will be located throughout the performance areas and amongst the audience. Qualified first aiders will be in attendance throughout the event and in radio contact with the Site Manager/Spiegel tent General Manager. First aid will be provided in accordance with the risk assessment as defined in The Event Safety Guide. The detailed operating schedule and communication of all the contents to staff is a key part in ensuring

*Continued from previous page...*

the public safety of all.

All catering equipment and outlets will be checked in accordance with local authority and outside catering guidelines.

**d) The prevention of public nuisance**

The event is oriented towards a family audience and public nuisance is not anticipated. Event organisers and the security company will work with the Police to identify and plan for any potential nuisance through round table meetings. Stewards will be briefed as to how to manage potential nuisance.

Noise nuisance will be minimised through controlled use of PA systems, each PA system clearly sited and scheduled. Sound levels will be carefully controlled and kept within limits and times set to the same levels as in 2015, details of which can be found in the accompanying operating schedule. The results of a noise propagation test conducted before the Spiegeltent opened to the public in 2015 will be used again to inform the agreed control limits at the sound mixer position in 2016.

The layout of the site will be the same as in May 2013, 2014 and 2015 to maximise the use of hard standing surfaces and facilitate ease of level access to the Spiegeltent and to direct and shield any noise disturbance from local residents. The continued use of the technically refined specification of the PA system will ensure that public nuisance is minimised.

The Festival Gardens opening times have been designed to maximise the impact of the event and minimise the potential of noise nuisance.

The outside bar will close one hour before the bar within the Spiegeltent each evening to facilitate a staggered audience egress and thereby reducing the likelihood of public nuisance.

Consultation is being undertaken with surrounding residents and residents groups and a dedicated mobile number will be established for site related queries which will be checked regularly throughout the Festival.

Litter and recycling are key parts of the ethos of the Festival's Environmental Sustainability Policy and therefore will be key.

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

All staff and volunteers will be briefed on NNF's Child & Vulnerable Adult Safeguarding policy, reviewed annually in conjunction with Norfolk's Safeguarding Children Board. A clear Lost Children policy for events in Chapelfield Gardens with DBS checked staff is in place. Any leaders who are working with children will have relevant qualifications and DBS checks. During the Family Weekend on Saturday 21 and Sunday 22 May 2016 a Lost Children's point will be managed by experienced DBS checked staff in radio contact with the Site Manager/Spiegeltent General Manager. The Lost Child point will be located at the Chapelfield Nursery and we will be working with Nursery staff to ensure child safety. At all other times when regulated entertainment is provided professional security and stewarding staff will be on the premises and they will be fully briefed on an appropriate lost children policy and procedure.

In line with our Child and Vulnerable Adult Safeguarding Policy, all staff, volunteers and photographers will understand that we need verbal permission to take a close up video or picture of a child or vulnerable adult at our events. A child or vulnerable adult will not be photographed/filmed if they do not wish to be or if their parent/carer does not wish them to be. We ensure that we use signage at all performances with a photographer or videographer present to make sure that all children, vulnerable adults and their responsible adult/carer are aware that their picture/image might be taken and used in the future by the Norfolk & Norwich Festival.

Performances programmed in the late evening slot in the Spiegeltent are advertised as suitable for ages 14 and over only, with audience aged 14 to 17 years old must be accompanied by a responsible adult. Where appropriate, age restrictions will be put on specific performances in the Spiegeltent. All performances outside of the Spiegeltent will be suitable for children and families.

The sale of alcohol will be strictly controlled.

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00\*

**Continued from previous page...**

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000-14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

100.00

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

Clare Lovell

\* Capacity

Head of Operations

\* Date

17 / 12 / 2015  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/norwich/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**OFFICE USE ONLY**

Applicant reference number	NNF16 Chapelfield Gardens
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

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# **NORFOLK & NORWICH FESTIVAL 2016**

## **Operating Schedule**

1. General description of the style and character of the business to be conducted on the premises
2. The licensable activities conducted on the premises
3. The time the relevant licensable activities are proposed to take place
4. Any other times the premises are open to the public
5. The period the licence is required for
6. Premises supervisor details
7. Retail sale of alcohol
8. Promotion of licensing objectives
  - 8.1 The prevention of crime and disorder
  - 8.2 Public safety
  - 8.3 The prevention of public nuisance
  - 8.4 The protection of children from harm
9. Plan of the premises and stages
  - 9.1 Festival Gardens and Spiegeltent
  - 9.2 Staging configurations
10. Additional information regarding the event. Please note this is supplementary to the Operating Schedule and does not form part of it.



## 1. General description of the style and character of the business to be conducted on the premises

### 1.1 Spiegeltent

Returning for the eighth consecutive year to Chapelfield Gardens the Salon Perdu Spiegeltent (capacity 499) is a superb Art Nouveau style traditional travelling dancehall with a footprint of 20m x 24m. Programmed with an eclectic selection of circus, music, dance, theatre and cabaret/variety/burlesque, mixing future-retro, classic-contemporary, the accessible and the innovative. Two shows a night are programmed commencing at 19.30 and 22.00 plus a daytime programme of work during the day at weekends and on specific week days, plus a range of workshops and events for young and old alike including dance, cabaret, circus, music, literature and social activities that will engage a range of communities. We will also host a Fundraising Gala for NNF sponsors and VIPs.

### 1.2 Spiegel Gardens

The area around the Festival Spiegeltent will again be transformed into a beautiful social and entertainment area, inspired by classic European Festival sites, and combining food and drink offers, music, installations and walkabout performance. This will be a place for the audience to meet and gather before and between performances around the city. The designated area for this will be contained within a fenced off licensed area within Chapelfield Gardens. Entry to the site will be monitored by a SIA-badged door supervisor who will be on duty at all times that the site is open to the public.

### 1.3 Festival Gardens / Garden Party

Free outdoor family work enlivening the Festival Gardens (Chapelfield Gardens) on the weekend of 21<sup>st</sup> and 22<sup>nd</sup> May 2016 (The Garden Party). This daytime event will feature international and national outdoor arts, children's performances, street performances, installations, dance, circus, variety, theatre and music.

## 2. The licensable activities conducted on the premises

- 2.1 Provision of plays
- 2.2 Provision of films
- 2.3 Provision of live music
- 2.4 Provision of recorded music
- 2.5 Provision of performances of dance
- 2.6 Provision of anything of a similar description to live music, recorded music or performances of dance
- 2.7 Late night refreshment
- 2.8 Supply of alcohol

3. The time the relevant licensable activities are proposed to take place.

4. Any other times the premises are open to the public.

		Provision of plays	Provision of films	Provision of live music	Provision of recorded music	Provision of performances of dance	Provision of anything of a similar description to live music, recorded music or performances of dance	Late night refreshment	Supply of alcohol Inside Bar	Supply of alcohol Outside Bar	Hours premises are open to the public
Monday	Start	10:30	10:30	10:30	10:30	10:30	10:30	23:00	11:00	11:00	10:00
	End	01:00	01:00	01:00	01:00	01:00	01:00	01:00	01:00	00:00	01:30
Tuesday	Start	10:30	10:30	10:30	10:30	10:30	10:30	23:00	11:00	11:00	10:00
	End	01:00	01:00	01:00	01:00	01:00	01:00	01:00	01:00	00:00	01:30
Wednesday	Start	10:30	10:30	10:30	10:30	10:30	10:30	23:00	11:00	11:00	10:00
	End	01:00	01:00	01:00	01:00	01:00	01:00	01:00	01:00	00:00	01:30
Thursday	Start	10:30	10:30	10:30	10:30	10:30	10:30	23:00	11:00	11:00	10:00
	End	01:00	01:00	01:00	01:00	01:00	01:00	01:00	01:00	00:00	01:30
Friday	Start	10:30	10:30	10:30	10:30	10:30	10:30	23:00	11:00	11:00	10:00
	End	02:00	02:00	02:00	02:00	02:00	02:00	02:00	02:00	01:00	02:30
Saturday	Start	10:30	10:30	10:30	10:30	10:30	10:30	23:00	11:00	11:00	10:00
	End	02:00	02:00	02:00	02:00	02:00	02:00	02:00	02:00	01:00	02:30
Sunday	Start	10:30	10:30	10:30	10:30	10:30	10:30	23:00	11:00	11:00	10:00
	End	00:00	00:00	00:00	00:00	00:00	00:00	00:00	00:00	23:00	00:30

NB - Times are expressed using the 24 hour clock. When the end time is 01:00 for example this means the following day.

## 5. The period the licence is required for

- 5.1 The Spiegeltent will open to the public from Wednesday 18<sup>th</sup> May and close to the public at the end of Sunday 29<sup>th</sup> May 2016 (12 days).

## 6. Premises supervisor details

Rob Howe,  
43A St Benedict's Street  
Norwich  
Norfolk  
NR2 4PG

Personal Licence Number – 08/00151/PERS

## 7. Retail sale of alcohol

- 7.1 There are two bars selling alcohol on site. The Inside Bar is located inside the Spiegeltent and operates at the times that there is entertainment being provided in the venue. This is typically around our two main show times, 19.30 and 22.00 daily and we also offer daytime programme and entertainment up until the listed licensing hours.
- 7.2 The Outside Cafe/Bar provides a space that audience can come and enjoy lunch during the daytime in a relaxed family environment, and enjoy the atmosphere of the Spiegel Gardens around the Spiegeltent programme in the evening. The Outside Cafe/Bar will cease serving 1 hour before the Inside Bar cut off time nightly.

## 8. Promotion of licensing objectives

### 8.1 - The prevention of crime and disorder

- 8.1.1 Two experienced security personnel licensed by the Security Industry Authority (SIA) on site 24 hours a day with an additional SIA security team member at all times that the Spiegeltent is open to the public (increasing to a total number of 6 SIA on duty Friday and Saturday evenings going in to Saturday and Sunday mornings).
- 8.1.2 Experienced SIA security roving around the park during the Garden Party event on the 21<sup>st</sup> and 22<sup>nd</sup> May 2016.
- 8.1.3 SIA register of licensed door supervisors to be checked by NNF staff a week before the event begins to ensure premises and customers are protected by door supervisors with a valid SIA licence.
- 8.1.4 All areas licensed for the sale and consumption of alcohol will be separated and enclosed with barriers.
- 8.1.5 Patrons will be prevented by SIA security from taking any open drinking vessel off site.
- 8.1.6 Patrons will be prevented by SIA security from bringing any alcoholic beverages on site.
- 8.1.7 Bar staff will ensure that plastic vessels are used in replacement of glass at the discretion of bar staff dependent on the nature of the event.

- 8.1.8 Experienced bar staff will challenge anyone who appears under the age of 25 to provide age identification (valid photo id) otherwise they will be refused the sale of alcohol.
- 8.1.9 Spiegeltent capacity (499) to be monitored and maintained at all times by the Spiegeltent General Manager.
- 8.1.10 Adequate site lighting to be provided at all times that the site is open to the public.
- 8.1.11 Security, Spiegeltent Site/General Manager and other key festival staff to be in constant communication via radio on site.
- 8.1.12 Staggered closing times between outside and inside bars minimise the potential for disorder and disturbance as customers leave the premises.
- 8.1.13 Signage used around site to encourage people to leave quietly.
- 8.1.14 The final written copy of the event risk assessment will be submitted to Police 14 days prior to the event taking place.

## 8.2 - Public safety

- 8.2.1 A comprehensive Event Fire Risk Assessment will be submitted to the Safety Advisory Group in advance of the event taking place.
- 8.2.2 All site and Spiegeltent means of escape maintained at all times.
- 8.2.3 Spiegeltent evacuation drill to be held by Spiegeltent General Manager before venue opens to the public and will cover venue evacuation procedure and individual staff responsibilities.
- 8.2.4 Spiegeltent and Site Evacuation procedure to be shared with all authorities via the Safety Advisory Group meeting before the event as part of the Event Management Plan.
- 8.2.5 NNF Safety Officer to brief all staff on site on location and use of fire extinguishers on site.
- 8.2.6 Spiegeltent hard power venue lighting system established and maintained.
- 8.2.7 Spiegeltent capacity (499) to be monitored and maintained at all times by the Spiegeltent General Manager.
- 8.2.8 All equipment inside the venue fire resistant and to British Standard.
- 8.2.9 All indoor special effects (eg dry ice machine) to be checked by NNF Safety Officer in advance of use.
- 8.2.10 Security and Front of House team to be briefed daily by Spiegeltent General Manager on safety of persons attending the premises or event.
- 8.2.11 Spiegeltent and site disabled access maintained at all times.
- 8.2.12 At least 1 fully trained first aider will be available at all times Spiegeltent is open to the public.
- 8.2.13 Spiegeltent General Manager is first aid trained to support staff at times the Spiegeltent is not open to the public.
- 8.2.14 4 additional SIA security, dedicated event first aid provision and 20 NNF volunteer support in Spiegel Gardens and Festival Gardens on family Garden Party weekend event on Saturday 21<sup>st</sup> and Sunday 22<sup>nd</sup> May 2016.

## 8.3 - The prevention of public nuisance

### 8.3.1 PA systems

There are two main PA systems in use in the Spiegeltent Gardens. One inside the Spiegeltent and one in the Outside Cafe/Bar tent. Other smaller systems used exclusively as part of the Garden Party weekend event (21<sup>st</sup> and 22<sup>nd</sup> May 2016) during daytime hours.

### 8.3.2 Spiegeltent PA system

8.3.2.1 The results of a survey used to determine the background noise levels at 2 locations around the venue (Chapelfield East and Chapelfield North) in 2015 will be used again as the agreed levels for 2016.

These background noise levels are agreed as;

Chapelfield North – 40 dB (LA90 4 hour average 22.00 to 02.00 hours)

Chapelfield East – 45 dB (LA90 4 hour average 22.00 to 02.00 hours)

8.3.2.2 The results of a noise propagation test conducted before the Spiegeltent opened to the public in 2015 will be used again to inform the agreed control limits at the sound mixer position in 2016.

8.3.2.3 The control limits set at the mixer position shall be adequate to ensure that the Music Noise Level (MNL) shall not at any noise sensitive premises exceed the background noise level by more than 15dB over a 15 minute period between the hours of 0900 to 2330 or by more than 10dB over a 15 minute period between the hours of 2330 to:

i) 0100 (during Monday to Thursday)

ii) 0200 (during Friday and Saturday); and

iii) 0000 (on Sunday)

8.3.2.4 The 2015 agreed dB level (which we will use again in 2016) not to be exceeded over a 15 minute period at the mixer position is;

0900 to 2330 – 90dB

2330 to close – 85dB

8.3.2.5 The sound measuring equipment will be used from 19.30 until;

i) 0100 (during Monday to Thursday)

ii) 0200 (during Friday and Saturday); and

iii) 0000 (on Sunday)

8.3.2.6 The Spiegeltent will go in to the same physical position within Chapelfield Gardens, and in relation to surrounding residences as in 2015

### 8.3.3 Outside Cafe/Bar System

8.3.3.2 Curfew for this PA system set at 23.00 daily. The Cafe/Bar PA system will be used to create a low ambient background noise only, and won't be used at the same time that the Spiegeltent PA will be in use.

8.3.3.3 Any other small PA systems that may be used as part of NNF's outdoor free outdoor programme in the Festival Gardens will only be in use during daytime hours.

### 8.3.4 Monitoring MNL

8.3.4.1 Sound monitoring equipment will be monitored by the sound engineer from the sound mixer position, with overall responsibility of ensuring that the agreed sound level is not exceeded given to the Spiegeltent General Manager.

8.3.4.2 Recorded sound levels from the previous evening will be emailed daily to Environmental Health and at any other time requested by The Spiegeltent General Manager.

8.3.4.3 If at any point a noise reading is taken above the limits set, the member of NNF staff in question will relay the information directly to the engineer in control of the sound desk in question immediately so that the sound level is reduced accordingly.

### 8.3.5 Hours of Operation for entertainment and plant/machinery

8.3.5.1 Site Crew will begin work four days before the Spiegeltent site opens to the public (this will involve an unobtrusive start - receiving delivery of fencing for example) and the site will be completely clear of staff and infrastructure by 12:00 noon on the day that the site opens to the public (18<sup>th</sup> May 2016).

- 8.3.5.2 Work schedule starts 9am each day although a small number of deliveries may occur between 08:00 and 09:00 on some days.
- 8.3.5.3 A 22:00 curfew will be set for all outdoor work, construction etc. during site build up and break down. On all other days, outdoor work, if any, will end at dusk or earlier.
- 8.3.5.4 There will be no overnight working.
- 8.3.5.5 Soundchecks will all be conducted during daylight hours.
- 8.3.5.6 Outdoor café/bar operating hours will end one hour before the Spiegeltent closes.
- 8.3.5.7 Spiegeltent opening hours will end at 00:00 on Sundays, at 01:00 on Monday – Thursday, and 02:00 Fridays and Saturdays. A drinking-up period of 30 minutes will be imposed which will help to spread the departure of audience.

#### 8.3.6 Noise Mitigation Measures

- 8.3.6.1 Strict outdoor performance and PA curfew at 23:00
- 8.3.6.2 Strict outdoor work curfew at 22:00
- 8.3.6.3 Outdoor café/bar to close by 1 hour before Spiegeltent closes nightly ie 23.00 Sundays, 00.00 Monday to Thursdays, 01.00 Friday and Saturdays.
- 8.3.6.4 All local residences informed of event through leaflet drop and liaison with Residents Assoc.
- 8.3.6.5 Siting of all PA systems to take account of local residences
- 8.3.6.6 No over-night working
- 8.3.6.7 Glass being poured in to recycle bins outdoors will be restricted from 21:00-08:00 daily.
- 8.3.6.8 The emptying of portable toilets will be requested to take place after 08:00 on days when cleans are scheduled to take place.
- 8.3.6.9 Door and FOH staff at Spiegeltent will encourage attendees to leave quietly at closing time each evening and will repeat this message through full duration of egress.
- 8.3.6.10 Door staff will be tasked with ensuring any audience outside the Spiegeltent doors behave quietly.
- 8.3.6.11 Spiegeltent staff will regularly check sound levels set by Environmental Health in and outside the Spiegeltent as referenced in more detail above.
- 8.3.6.12 Festival site mobile phone number to be advertised at the front and rear entrances to the site and additionally at two locations around the Spiegeltent site to make members of the public aware of one way they can contact NNF staff directly if they may have a concern. Phone to be checked regularly by Site Manager/General Manager.
- 8.3.6.13 Festival management team to de-brief after each performance day and especially after Friday/Saturday events in order to review and adjust.

#### 8.3.7 Public Egress

- 8.3.7.1 Crowd egress from site will be staggered due to varied finish times of free and ticketed entertainment.
- 8.3.7.2 Management to take active measures to underline message to leave Spiegeltent venue quietly (notices, reminders by door staff and other FOH staff, announcements at the end of performances).
- 8.3.7.3 No car parking in immediate vicinity ensures noise of vehicles departing kept to a minimum.
- 8.3.7.4 Drinking up period in Spiegeltent helps spread departure time

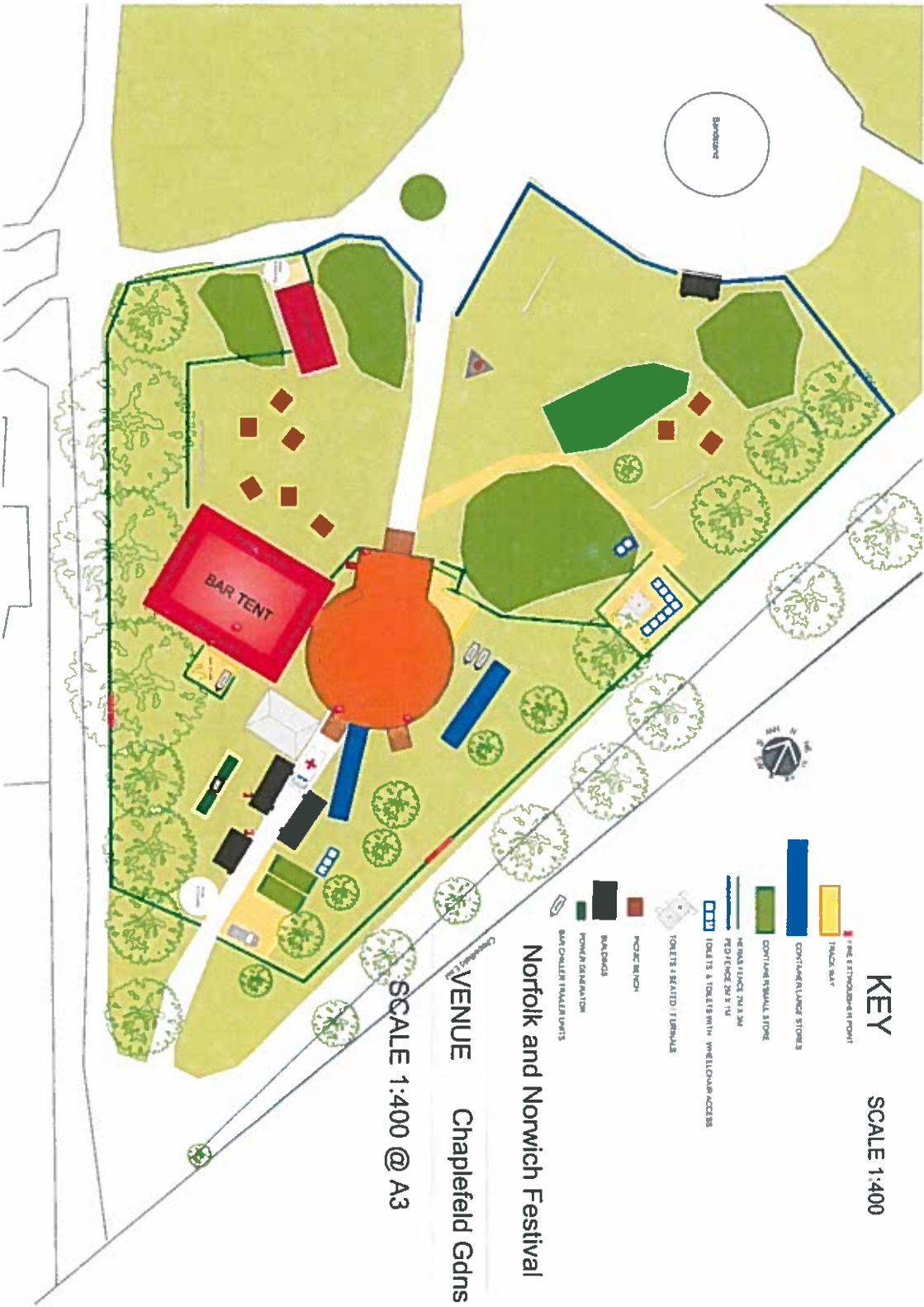
#### 8.4 - The protection of children from harm

- 8.4.1 Experienced bar staff will challenge anyone who appears under the age of 25 to provide age identification (valid photo id), otherwise they will be refused the sale of alcohol.
- 8.4.2 All 22.00 Spiegeltent performances are advertised as suitable for ages 14 and over only.
- 8.4.3 All 22.00 Spiegeltent performances are advertised that audience aged 14 to 17 years old must be accompanied by a responsible adult.
- 8.4.4 Where appropriate, age restrictions will be put on specific performances in the Spiegeltent
- 8.4.5 Security to use discretion at all times.
- 8.4.6 All staff and volunteers will be briefed on NNF's Child and Vulnerable Adult Protection policy.
- 8.4.7 Event Management Plan contains a clear Lost Children policy for events in Chapelfield Gardens with DBS checked staff are in place.
- 8.5.8 Volunteers and photographers will understand that we need verbal permission to take a close up video or picture of a child or vulnerable adult at our events.



9. Plan of the premises

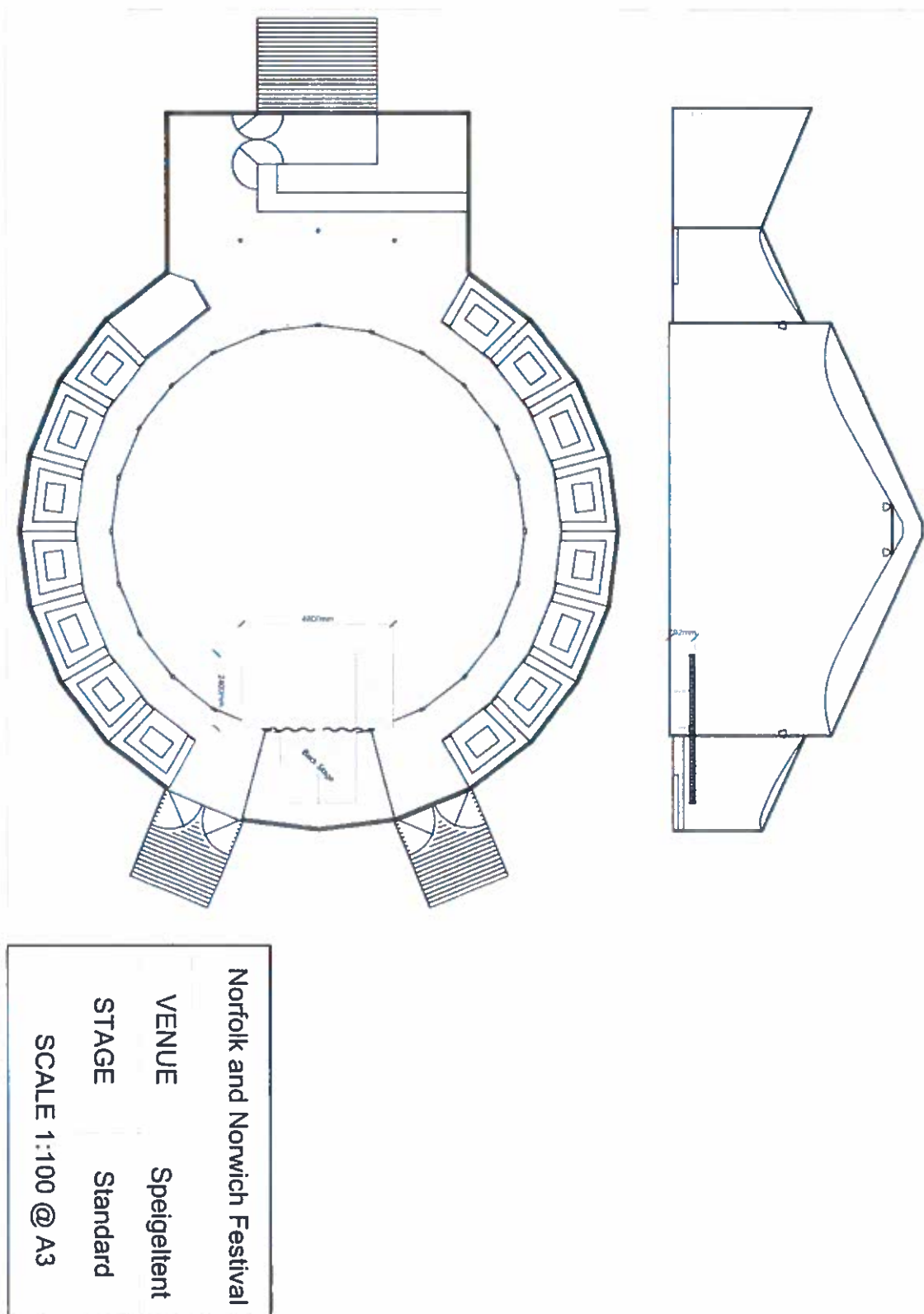
9.1 Festival Gardens and Spiegeltent



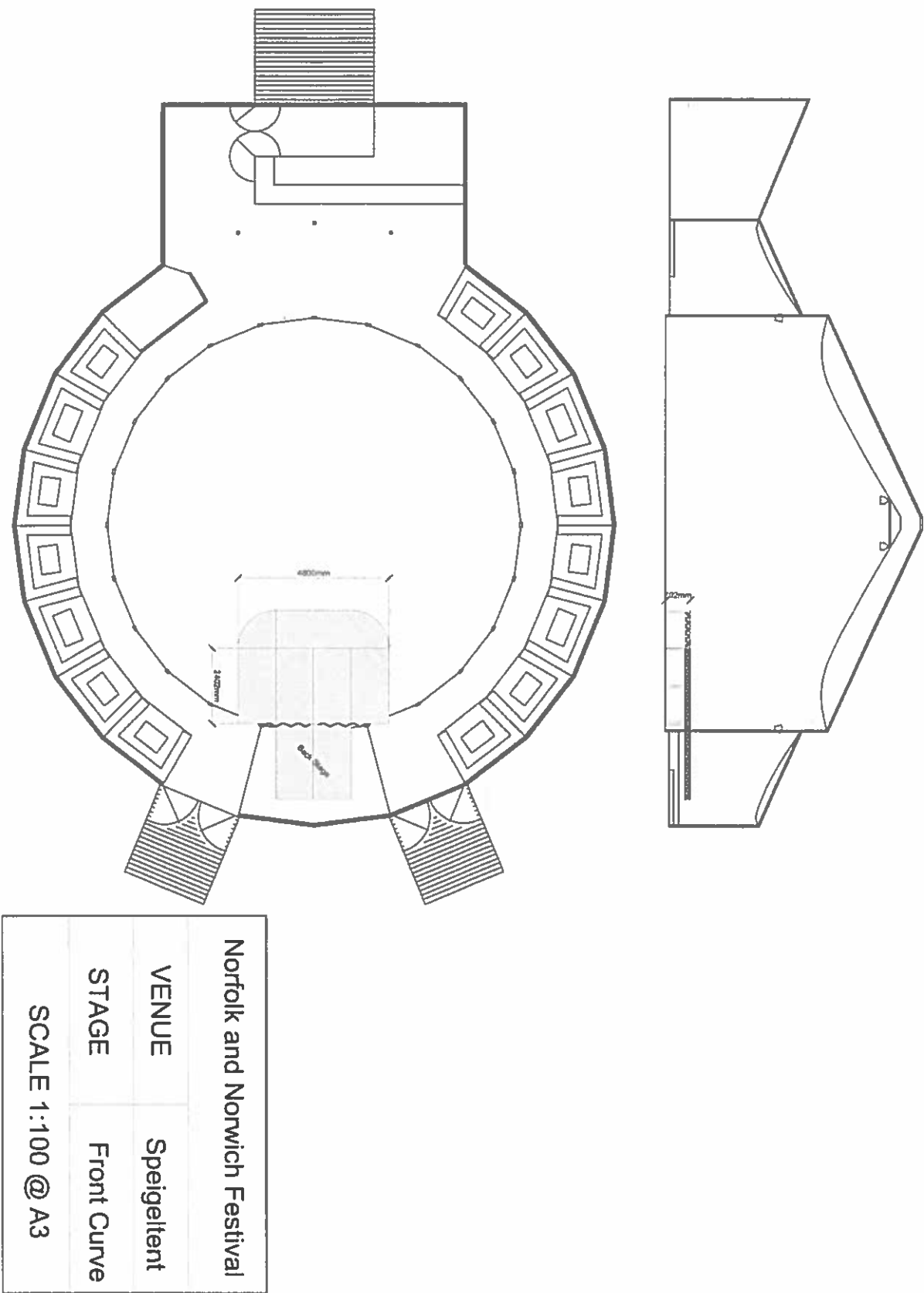


9.2 Staging – as the Spiegeltent is a flexible space and different performances have different requirements we are submitting multiple staging configurations.

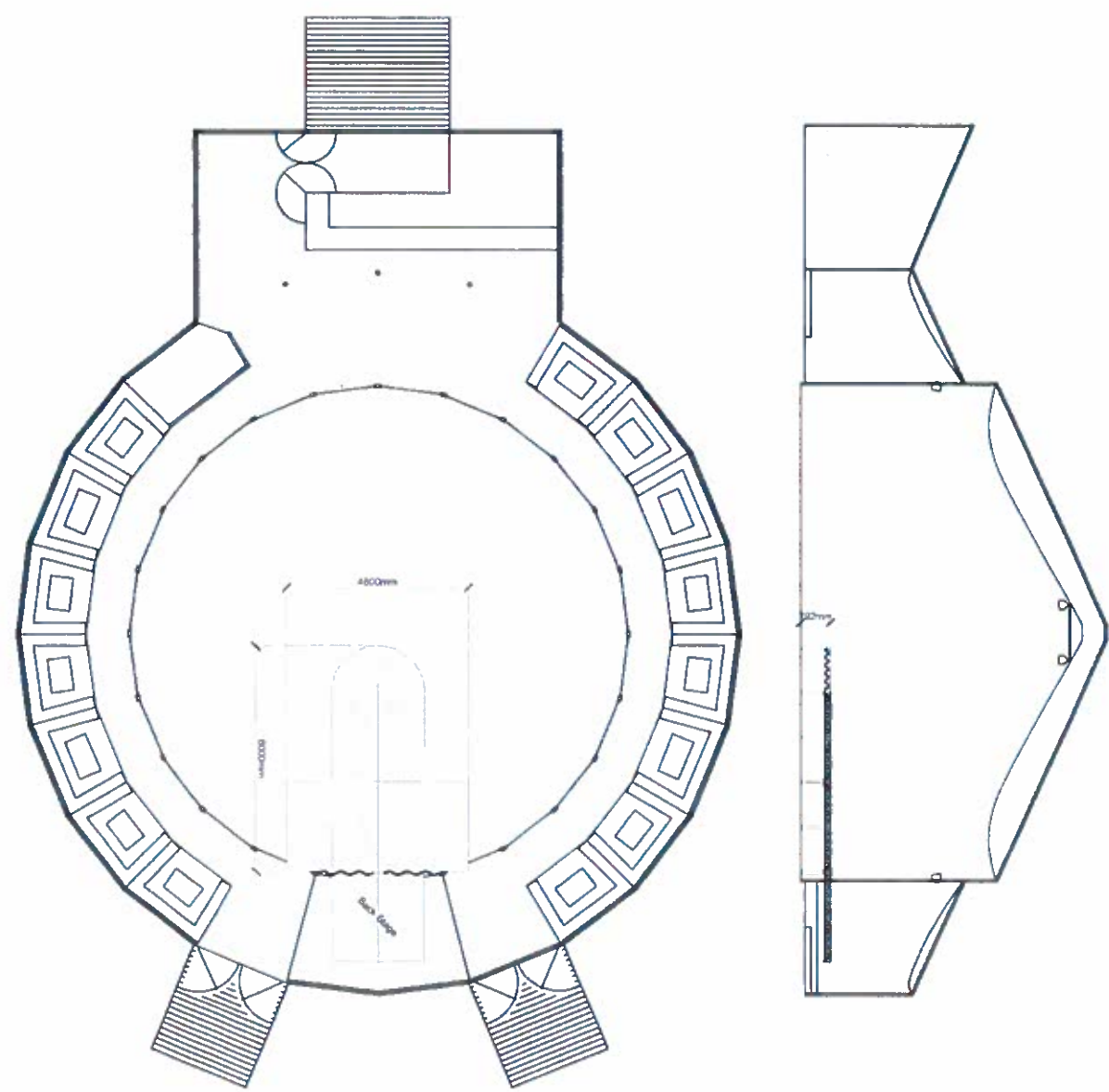
**Staging configuration 1 - standard**



Staging configuration 2 – front curve

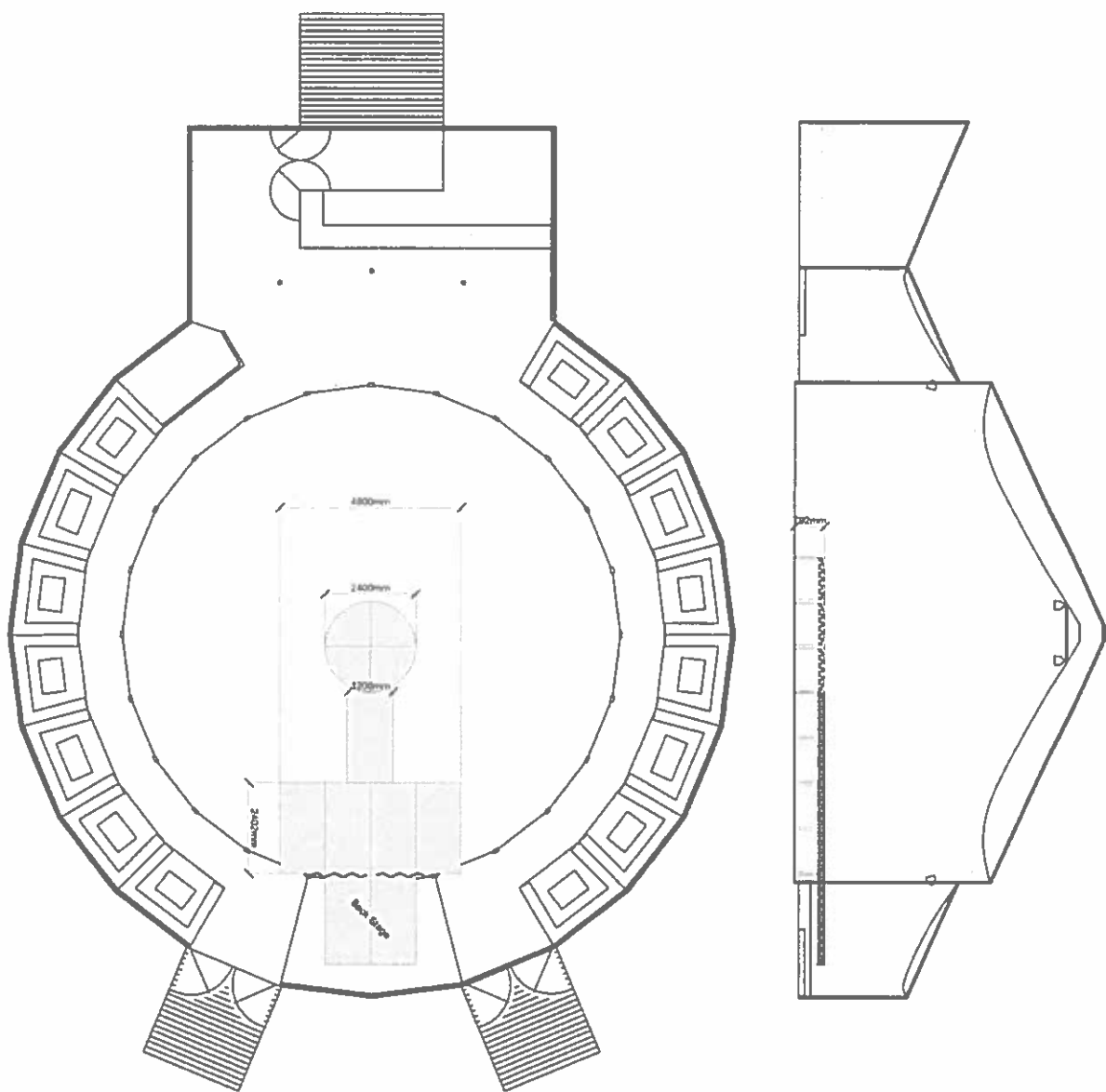


Staging configuration 3 - thrust



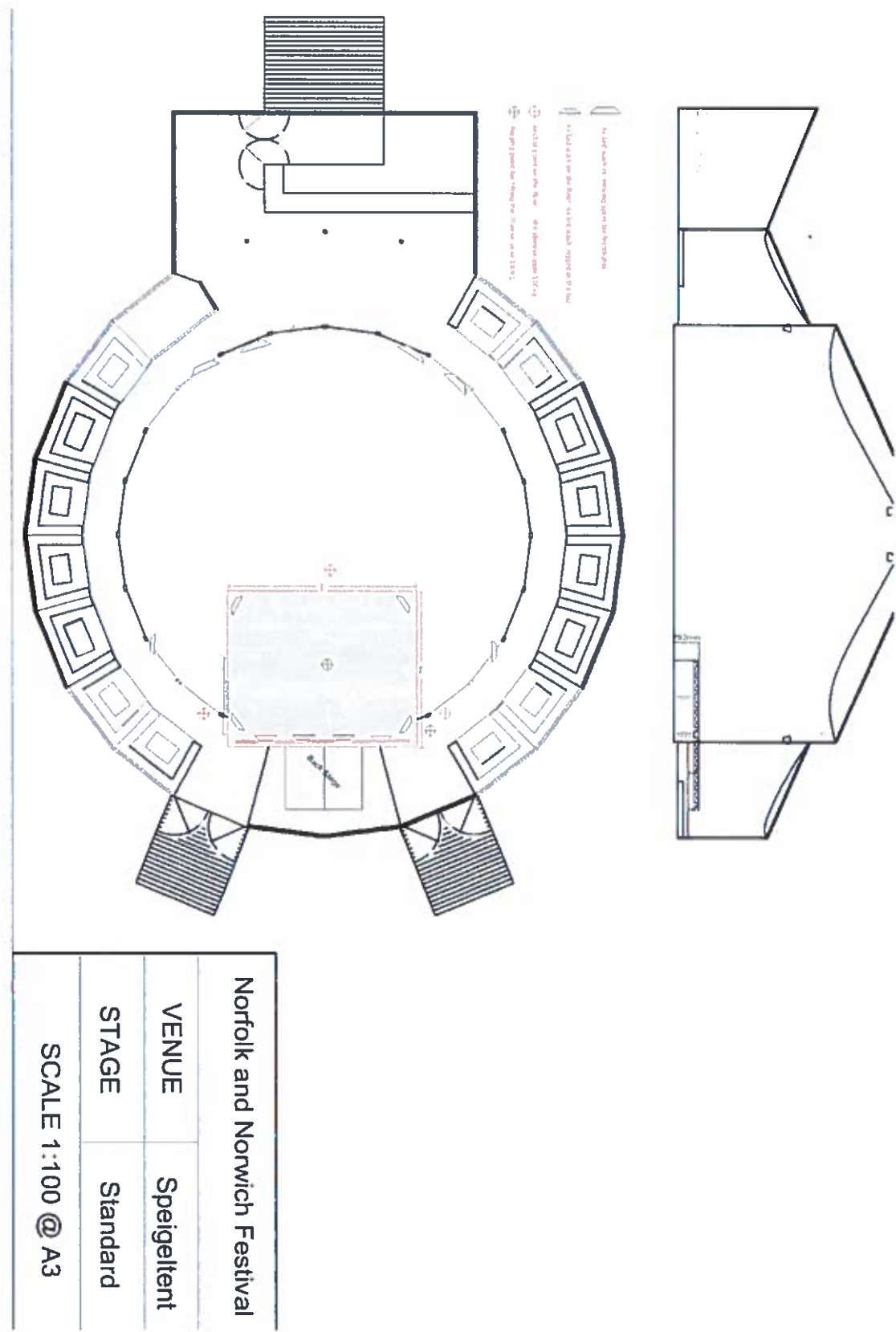
Norfolk and Norwich Festival	
VENUE	Speigeltent
STAGE	Thrust
SCALE 1:100 @ A3	

Staging configuration 4 – Trust with circle



Norfolk and Norwich Festival	
VENUE	Speigellent
STAGE	Thrust w/Circle
SCALE 1:100 @ A3	

Staging configuration 5 – Race Horse



## Norfolk & Norwich Festival 2016 – Operating Schedule

10. Additional information regarding the event. Please note this is supplementary to the Operating Schedule and does not form part of it.

The Norfolk & Norwich Festival is an annual multi arts festival that takes place in May each year and is well known within the county and the city.

We have delivered activity in Chapelfield Gardens with the Spiegeltent at the forefront of this every May since 2009. The Spiegeltent and Spiegel Gardens have operated over a different number of days over its history ranging from 16 days in 2010 and 2012, 9 days in 2009, 2011 and 2013 and 12 days in 2014 and 2015.

### Spiegeltent

Returning for the eighth consecutive year to Chapelfield Gardens the Salon Perdu Spiegeltent (a wooden “tent”, mirrored and beautiful - capacity 499) is a superb Art Nouveau style traditional travelling dancehall.

Two main shows a night are programmed commencing at 19.30 and 22.00 featuring an eclectic programme of circus, film, music, dance, theatre and cabaret/variety/burlesque, mixing future-retro, classic-contemporary, the accessible and the innovative.

This is accompanied by a daytime programme of social activities, workshops and events at weekends and on specific week days, including dance, cabaret, film, circus, music, literature, which will engage a range of ages and communities.

We also use the tent to host a private Fundraising Gala for NNF sponsors and VIPs.

### Spiegel Gardens

A designated licensed area around the Festival Spiegeltent is transformed into a beautiful social and entertainment area, inspired by classic European Festival sites, and combining food and drink offers, music, installations and walkabout performance. This will be a place for the audience to meet and gather before and between performances around the city.

### Festival Gardens / Garden Party

One of the popular highlights of Norfolk & Norwich Festival is our free outdoor family weekend event enlivening the whole of Chapelfield Gardens, otherwise known as Festival Gardens for this period. This daytime event will feature international and national outdoor arts, children’s performances, street performances, installations, dance, circus, variety, film, theatre and music.

### Bars

There are two bars selling alcohol on site managed by the team who run the Bicycle Shop in St Benedict’s Street in Norwich, who have successfully run the bars at the Spiegeltent every year since the first year of the Spiegeltent at Norfolk & Norwich Festival (2009).

The Inside Bar is located inside the Spiegeltent and operates at the times that there is entertainment being provided in the venue. This is typically around our two main show times, 19.30 and 22.00 daily and we also offer daytime programme and entertainment up until the listed licensing hours.

The Outside Cafe/Bar provides a space that audience can come and enjoy lunch during the daytime in a relaxed family environment, and enjoy the atmosphere of the Spiegel Gardens around the Spiegeltent programme in the evening. The Outside Cafe/Bar will cease serving 1 hour before the Inside Bar cut off time nightly.

### Staff


Norfolk & Norwich Festival employs a specialist dedicated team responsible for running the Spiegeltent and Festival Gardens site. This team will be returning for a 4<sup>th</sup> consecutive year in 2016 and will be lead by a Spiegel General Manager supported by Spiegeltent Site Manager / Health and Safety Officer and technical team, with extensive knowledge and experience of running this site reporting to the Festival's Head of Production (year round, permanent).

In order to realise the Spiegeltent as a well run venue we have 2 Front of House (FOH) managers who oversee a team of voluntary Spiegeltent Hosts to manage the audience, deal with their needs and resolve any issues that may arise.

Norwich City Council Licensing Authority  
Licensing Act 2003

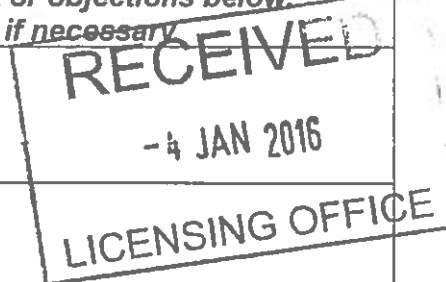
Statement of support or objection to  
an application for a premises licence



Your name/organisation name/name of body you represent (see note 1)	 Mr. P. Baron 10 Dencora Apartments Chapel Field East Norwich NR2 1SF <small>World Cancer Research Fund UK www.wcrf-uk.org/learn</small>	
Postal address		
Email address		ET.COM
Contact telephone number		
Name of the premises you wish to support or object to	CHAPEL FIELD GARDENS	
Address of the premises you wish to support or object to.	" "	

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance	LOUD MUSIC STARTS 10.30! WOULD YOU LIKE THAT IF YOU GOT TO WORK
To protect children from harm	



Please suggest any conditions which would alleviate your concerns.	TURN DOWN THE NOISE
--	---------------------

Signed:

Date:

23/12/15

Please see notes on reverse



**Norwich City Council Licensing Authority  
Licensing Act 2003**

**Statement of support or objection to  
an application for a premises licence**

Your name/organisation name/name of body you represent (see note 1)	MR JOHN CHARLES FOY
Postal address	73 CHAPELFIELD EAST NORWICH NR2 1SF
Email address	[REDACTED] SM
Contact telephone number	[REDACTED]

Name of the premises you wish to support or object to	NORFOLK AND NORWICH FESTIVAL 18 MAY TO 29 MAY 2016 INCLUSIVE.
Address of the premises you wish to support or object to.	NNF 2016 SPIEGELTENT CHAPELFIELD GARDENS, NORWICH NR2 1SF

Your support or objection must relate to one of the four Licensing Objectives (see note 2)

Licensing Objective	Please set out your support or objections below. Please use separate sheets if necessary
To prevent crime and disorder	
Public safety	
To prevent public nuisance ✓	OBJECTION TO LATE NIGHT LICENSES BEYOND 12 O'CLOCK MIDNIGHT, PLAYING LOUD MUSIC UNTIL 1.00 AM WEEKDAYS AND 2.00 AM FRIDAYS AND SATURDAYS IS UNACCEPTABLE, AND IS A PUBLIC NUISANCE, IN A RESIDENTIAL AREA. IT PROVES IMPOSSIBLE TO SLEEP UNTIL THE NOISE CEASED. (SEE ENCLOSED LETTER OF OBJECTION AND COMPLAINT).
To protect children from harm	

**RECEIVED**

-5 JAN 2016

LICENSING OFFICE

Please suggest any conditions which would alleviate your concerns.	TO CEASE PLAYING LIVE AND RECORDED MUSIC AFTER 12 O'CLOCK MIDNIGHT IN A RESIDENTIAL AREA.
--	---

Signed:

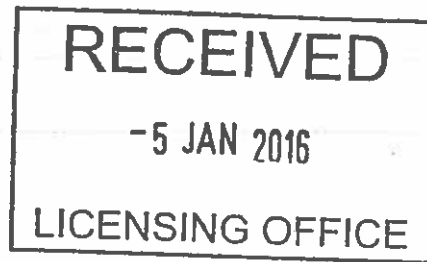
Date: 5/1/2016

Please see notes on reverse

73, Chapelfield East  
Norwich  
NR2 1SF

5<sup>th</sup> January 2016

Norwich City Council  
Licensing Section  
City Hall  
St Peter Street  
Norwich NR2 1NH



**Norfolk and Norwich Festival:**

**Chapelfield Gardens noise nuisance into the early morning hours for 12 consecutive days.**

Dear Sir or Madam,

Last year at the Norfolk and Norwich Festival the noise levels from the very late licensing of music and serving of alcohol in Chapelfield Gardens were once again unacceptable. Furthermore the noise limits specified last year by the City Council Licensing Sub-Committee did not suitably address the public nuisance caused by the late night licenses.

As previously in 2014, this noise disturbance resulted in my again having to move out of my home in Chapelfield East for the duration of the late night license periods.

**Code of Practice**

As a condition of licenses granted for late night music events within residential areas it is usual practice regional Licensing Committees in the UK to require license applicants to comply with the guidance detailed in the "Code of Practice on Environmental Noise Control at Concerts" 1995 (Attachment 1). This document specifically addresses the levels of noise management required to minimise the noise nuisance experienced by local residents in their homes. Specifically this Code of Practice clearly specifies the acceptable noise limits for music events of this nature as shown below:

Code of Practice on Environmental Noise at Concerts, 1995
Before 23.00 hrs the Music Noise Level (MNL) should not exceed the background noise level by more than 15 dB(A) over a 15 minute period.
After 23.00 hrs the MNL should not be audible within "noise-sensitive premises" with windows open in a typical manner for ventilation.
The "noise-sensitive premises" refer to the living rooms and bedrooms of local residents.

In January 2015 this Code of Practice was submitted to the Licensing Sub-Committee for this event by the City Environmental Protection Officer, along with the strong recommendation that any live or recorded music within the licensed area should cease at midnight on each day (as opposed to 02.00 am on Friday/Saturday, 01.00 am weekdays and midnight on Sunday) *"in order to provide some degree of respite to local residents over the 12 day continuous period of the event"*.

Having been correctly advised of this Code of Practice for noise control at such events, and contrary to the advice of the City Environmental Protection Officer, it was somewhat surprising that the Licensing Sub-Committee chose not to accept the recommendations as presented, but instead chose during the meeting and in the absence of any supporting empirical data, to arbitrarily make up a higher set of noise limits specifically for the festival event in Chapelfield Gardens, as shown below:

Before 23.30 hrs the Music Noise Level (MNL) shall not at any “noise-sensitive premises” exceed the background noise level by more than 15 dB(A) over a 15 minute period.

After 23.30 hrs the MNL shall not at any “noise-sensitive premises” exceed the background noise level by more than **10 dB(A)\*** over a 15 minute period to

- i **01.00 am** (during Monday to Thursday);
- ii **02.00 am** (during Friday and Saturday); and
- iii **00.00 am** (on Sunday)

throughout the duration of the event.

- \* It is important to appreciate that the decibel scale is **logarithmic** and therefore an increase of **10 dB(A)** over any benchmark level is actually **twice as loud**.

#### Adverse Health Effects of Noise – Sleep Disturbance

In 1999 the World Health Organisation published the document “Guidelines for Community Noise” (Attachment 2: Executive Summary, Section 4, Guideline Values, Sleep Disturbance, Page xii).

This publication documents the evidence that most people will start to experience sleep disturbance, including an inability to fall asleep, with continuous background noise levels exceeding 30 dB(A), and with individual noise levels exceeding 45 dB(A). Furthermore a small number of noise events with a high maximum sound level in excess of 45 dB(A), for example bursts of music, clapping, and shouting, have been demonstrated to adversely affect the ability to remain asleep. The detrimental health effects of recurring chronic sleep deprivation are well documented in the public domain and range at the mild end from fatigue, inability to concentrate, irritability, rise in stress, increased risk of accidents, to more serious conditions such as hypertension.

It was therefore again surprising for the Licensing Sub-Committee to state in the 2015 Determination Notice granting the Chapelfield late license that the Sub-Committee’s own noise levels, as shown above, in their opinion did not constitute “an unreasonable noise level”, and that permitting such noise to continue until the early hours of the morning for 12 days consecutively did not constitute “an unreasonable period”.

As a Chapelfield East resident, I confirm yet again that the late night levels of noise generated over the 12 days were inappropriate for a residential area and this is no doubt why compliance with the “Code of Practice on Environmental Noise Control at Concerts” is widely accepted as the minimum standard for the licensing of such late night music events by councils all across the UK. The Licensing Sub-Committee’s decision to arbitrarily increase both the empirically derived acceptable noise levels and the duration standards, which are clearly defined in this widely accepted authoritative document, without any knowledge of such technical matters was an irrational, unsubstantiated outcome which was palpably absurd.

Following the experiences of previous years, a further repetition of such noise nuisance until the early morning hours in a residential area, causing people to vacate their homes, would further demonstrate an ongoing flagrant disregard for the wellbeing of the residents of Chapelfield. Please stop the noise after midnight.

Yours faithfully,

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# **Code of Practice on Environmental Noise Control at Concerts**

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**THE NOISE COUNCIL**

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## 1.0 INTRODUCTION

- 1.1 Large music events involving high powered amplification are held in sporting stadia, arenas, open air sites and within lightweight buildings. These events give pleasure to hundreds and in some cases thousands of people. However, the music from these events can cause disturbance to those living in the vicinity. The purpose of this code is to give guidance on how such disturbance or annoyance can be minimised.
- 1.2 This Code of Practice has been prepared by the Noise Council through a Working Party comprising specialists who are experienced in the particular problems that can arise with environmental noise control at concerts and similar music events. A list of members of the working party is shown in Appendix II and a list of technical papers providing some background data and more detailed information is given in Appendix I.
- 1.3 Various guidelines and criteria are described in this document covering a range of events from the single occasional concert to a full season. It is believed that compliance with the guidelines and the other advice given here will enable successful concerts to be held whilst keeping to a minimum the disturbance caused by noise. It is recognised, though, that full compliance with this code may not eliminate all complaints, and local factors may affect the likelihood of complaints.
- 1.4 This Code is not designed to address the question of environmental noise arising from discotheques, clubs and public houses, nor environmental noise affecting noise sensitive premises which are structurally attached to the venue.

- 1.5 This Code is designed to assist those planning a music event, those responsible for licensing such events and those responsible for enforcing the nuisance provisions of the Environmental Protection Act 1990 (England and Wales) and the Control of Pollution Act 1974 (Scotland). It addresses the environmental problem of noise from the performance and sound checks only. Other environmental impacts of concerts and the question of meeting the requirements of the Noise at Work Regulations 1989 and the guidance given in the Health and Safety Executive's Guide to Health, Safety and Welfare at Pop Concerts and similar events are beyond the scope of this document.
- 1.6 Compliance with this Code of Practice does not of itself confer immunity from legal obligations.
- 1.7 The Noise Council is keen to receive accounts of the practical application of the Code in order to improve and enhance its content.

## 2.0 DEFINITIONS

Background Noise Level:	The prevailing sound level at a location, measured in terms of the $L_{A90,T}$ , on an equivalent day and at an equivalent time when no concert or sound checks are taking place.
dB(A):	The A-weighted sound pressure level whereby various frequency components of sound are weighted (equalised) to reflect the way the human ear responds to different frequencies.
Delay Tower:	An additional set of loudspeakers employed to provide a better spread of sound to the audience.
$L_{Aeq}$ :	The equivalent continuous noise level which at a given location and over a given period of time contains the same A-weighted sound energy as the actual fluctuating noise at the same location over the same period.
$L_{A90,T}$ :	The A-weighted sound pressure level exceeded for 90% of the measuring period (T).
Mixer:	The location where the main sound system is controlled. As well as ensuring the correct sound balance between the various performers, the overall level of sound for the audience is controlled at this location.



**Music Event:** A concert or similar event where live or recorded music is performed by a solo or group of artists before an audience.

**Music Noise:** The noise from the music and vocals during a concert or sound checks and not affected by other local noise sources.

**Music Noise Level (MNL):** The  $L_{Aeq}$  of the music noise measured at a particular location.

**Noise Consultant:** A person given responsibility by the organiser of the event for monitoring noise levels in accordance with the prevailing conditions, and who has the ability and authority to make decisions and implement changes in noise level during the event.

**Noise Monitoring Position:** The location of the microphone within the venue from which the level of sound is monitored and controlled. For outdoor venues, this location tends to be at the mixer.

**Noise-sensitive Premises:** Includes premises used for residential purposes hospitals or similar institutions, education establishments (when in use), or places of worship (during recognised times and days of worship) or any premises used for any other purposes likely to be affected by the Music Noise.

**Other Urban Venue:** An urban park or similar area which is not normally used for major organised events.

**Rural Venue:** A park, open space or grounds of a country house in a rural area not normally used for major organised events.

**Sound Engineer:** Person employed to control the sound quality of the music for the audience.

**Urban Stadia or Arenas:** A regular venue for major sporting or similar events in an urban area.

### 3.0 GUIDELINES

- 3.1 The Music Noise Levels (MNL) when assessed at the prediction stage or measured during sound checks or concerts should not exceed the guidelines shown in Table 1 at 1 metre from the façade of any noise sensitive premises for events held between the hours of 0900 and 2300.

TABLE 1

Concert days per calendar year, per venue	Venue Category	Guideline
1 to 3	Urban Stadia or Arenas	The MNL should not exceed 75dB(A) over a 15 minute period
1 to 3	Other Urban and Rural Venues	The MNL should not exceed 65dB(A) over a 15 minute period
4 to 12	All Venues	The MNL should not exceed the background noise level <sup>1</sup> by more than 15dB(A) over a 15 minute period

Notes to Table 1

1. The value used should be the arithmetic average of the hourly  $L_{Aeq}$  measured over the last four hours of the proposed music event or over the entire period of the proposed music event if scheduled to last for less than four hours.
2. There are many other issues which affect the acceptability of proposed concerts. This code is designed to address the environmental noise issue alone.
3. In locations where individuals may be affected by more than one venue, the impact of all the events should be considered.
4. For those venues where more than three events per calendar year are expected, the frequency and scheduling of the events will affect the level of disturbance. In particular, additional disturbance can arise if events occur on more than three consecutive days without a reduction in the permitted MNL.
5. For indoor venues used for up to about 30 events per calendar year an MNL not exceeding the background noise by more than 5dB(A) over a fifteen minute period is recommended for events finishing no later than 2300 hours.

6. Account should be taken of the noise impact of other events at a venue. It may be appropriate to reduce the permitted noise from a concert if the other events are noisy.
7. For venues where just one event has been held on one day in any one year, it has been found possible to adopt a higher limit value without causing an unacceptable level of disturbance.

3.2 For events continuing or held between the hours 2300 and 0900 the music noise should not be audible within noise-sensitive premises with windows open in a typical manner for ventilation.

Notes to Guideline 3.2

1. The use of inaudibility as a guideline is not universally accepted as an appropriate method of control. References 6 & 7 (Appendix 1) set out the various issues. This guideline is proposed as there is insufficient evidence available to give more precise guidance.
2. Control can be exercised in this situation by limiting the music noise so that it is just audible outside the noise sensitive premises. When that is achieved it can be assumed that the music noise is not audible inside the noise sensitive premises.

3.3 The nature of music events means that these guidelines are best used in the setting of limits prior to the event (see 4.0).

3.4 Assessment of noise in terms of dB(A) is very convenient but it can underestimate the intrusiveness of low frequency noise. Furthermore, low frequency noise can be very noticeable indoors. Thus, even if the dB(A) guideline is being met, unreasonable disturbance may be occurring because of the low frequency noise. With certain types of events, therefore, it may be necessary to set an additional criterion in terms of low frequency noise, or apply additional control conditions.

Notes to Guideline 3.4

1. It has been found that it is the frequency imbalance which causes disturbance. Consequently there is less of a problem from the low frequency content of the music noise near to an open air venue than further away.

2. Although no precise guidance is available the following may be found helpful (Ref 8):  
A level up to 70dB in either of the 63Hz or 125Hz octave frequency band is satisfactory; a level of 80dB or more in either of those octave frequency bands causes significant disturbance.

- 3.5 Complaints may occur simply because people some distance from the event can hear it and that, consequently, they feel the music must be loud even though the guidelines are being met. In fact topographical and climatic conditions can be such that the MNL is lower at locations nearer to the venue.
- 3.6 Although care has been taken to make these guidelines compatible with what occurs at existing venues, this may not be the case at every location. Where arrangements are satisfactory with either higher or lower noise levels than those contained in the guidelines, these limits should continue.
- 3.7 It has been found that if there has been good public relations at the planning stage between the event organisers and those living nearby, annoyance can be kept to a minimum.
- 3.8 The music noise level should be measured using an integrating-averaging sound level meter complying with type 2 or better of BS6698. The background noise level should be measured using a sound level meter complying with type 2 or better of BS5969. Time weighting F (fast response) should be used.
- 3.9 When measuring  $L_{Aeq}$  in order to determine the music noise level, care must be taken to avoid local noise sources influencing the result. When the local noise is intermittent, a series of short term  $L_{Aeq}$  measurements should be made of the music noise while the local source is absent or has subsided to typically low or mean minimum values. An average of these short term

readings will give an estimate of the music noise level. A further option would be to measure the A-weighted sound pressure level on a sound level meter complying with type 2 or better of BS5969 with the time weighting set to S (slow response) when the music is loudest and not influenced by local noise. If the local source is continuous, make a measurement of the  $L_{Aeq}$  of the local source when the music is not occurring, and make a correction to the measured  $L_{Aeq}$  when the music is occurring to obtain an estimate of the music noise level.

- 3.10 The nature of many concerts requires the sound volume level to be increased during the event to enhance the performance. The prevailing noise control restrictions should be borne in mind so that the sound volume at the start of the event is not too high, hence allowing scope for an increase during the event.
- 3.11 Some concerts are accompanied by associated activities (e.g. fairgrounds) which can be noisy. These should be taken into account when setting the limit for the music noise level.
- 3.12 When monitoring the music noise level, the sound of the audience applause can be a significant contributor. It is not possible to address this issue precisely; instead it is recommended that any such effect be noted.

#### 4.0 RECOMMENDED NOISE CONTROL PROCEDURE

- 4.1 This procedure has been developed over several years and found to provide an effective means of addressing the problem of environmental noise control at events. The main features of the procedure are set out below and references are made to various technical papers which give more details.

##### Planning

- 4.2 Determine the sound propagation characteristics between the proposed venue and those living nearby who might be affected by noise, and carry out an appropriate background noise survey. This should be undertaken by a competent person who is experienced in noise propagation and control, particularly from music events.
- 4.3 Check the viability of the event against the relevant guideline levels. This is achieved by determining from 4.2 above the sound level experienced by the audience which would allow the guidelines to be met. Research shows that the music noise level in the audience by the mixer position at pop concerts is typically 100dB(A), and that levels below 95dB(A) will be unlikely to provide satisfactory entertainment for the audience.
- 4.4 Prospective licensees should give the local authority as much notice as possible of the proposed event especially if more than one event is planned during a calendar year.

- 4.5 The local authority should make use of licensing conditions and statutory powers to implement the procedures described in this Code of Practice. Examples of possible conditions are given in Appendix III.
- 4.6 The Noise Consultant should be appointed.

#### **Before the Event**

- 4.7 Install the loudspeaker system early enough to enable alignment and orientation to be optimised to minimise noise disturbance.
- 4.8 Carry out a sound test prior to each event to ascertain the maximum level that can prevail at the monitoring position to enable the guidelines to be met. This effectively calibrates the system, taking into account as far as possible prevailing weather conditions, and, for indoor events, the sound insulation of the venue.

#### **Notes to Guideline 4.8**

1. It should be remembered that the introduction of an audience to a venue increases the acoustic absorption present. This has the effect of reducing the sound level in the venue for a given amplifier setting compared with the sound test. This should be borne in mind when setting the limit levels.

#### **During the Event**

- 4.9 Advertise and operate an attended complaint telephone number through which noise complaints can be channelled. This will enable an immediate response to the complaints to be given and the Noise Consultant to judge whether or not any adjustment to the music noise level is needed.
- 4.10 Establish a communication network between all those involved in noise



control. This should include the local police authority.

Note to Guideline 4.10

1. It is difficult to communicate effectively in noisy environments, especially in the vicinity of the mixer. It has been found helpful for those involved in the communication network to use head-sets with their two way radio systems.

- 4.11 Carry out noise monitoring within the venue at the noise monitoring position and at sample locations outside the venue throughout the event. If the event is employing one or more delay towers, additional noise monitoring may be needed inside the venue to control the sound output from them.
- 4.12 Although the limit value set at 4.8 above would be in terms of 15 minute  $L_{Aeq}$ , useful control can be exercised by monitoring the  $L_{Aeq}$  over one minute periods. This enables an early warning to be obtained of possible breaches in the 15 minute limit. It is sometimes appropriate to set an additional control limit in terms of the one minute  $L_{Aeq}$  (typically some 2-3dB(A) above the 15 minute value) and to use a level recorder display to assist the sound engineer in checking compliance with the limit. The Noise Consultant should advise the sound engineer of any breaches in the prescribed noise limit, to enable a reduction in level as appropriate. The sound engineer should also be advised of occasions when the limit has only just been met.

## APPENDIX I

### References

1. Noise Control Techniques and Guidelines for Open Air Concerts, J.E.T. Griffiths (ProcIOA, Vol. 7, Part 3, 1985).
2. A Noise Control Procedure for Open Air Pop Concerts, J.E.T. Griffiths, S.W. Turner and A.D. Wallis (ProcIOA, Vol 8, Part 4, 1986).
3. Noise Control in the Built Environment, edited by John Roberts and Diane Fairhall, Gower Technical, 1988 (Chapters 1, 2 and 3).
4. Environmental Noise Guidelines proposed for the new Health & Safety Executive Guide for Pop Concerts, J.E.T. Griffiths and A. Dove (ProcIOA, Vol 14, Part 5, 1992).
5. A Survey of Sound Levels at Pop Concerts, J.E.T. Griffiths (HSE Contract Research Report No 35/1991).
6. Inaudibility - an Established Criterion, A.W.M. Somerville (ProcIOA, Vol 13, Part 8, 1991).
7. Noise Control at All-night Acid House Raves, K. Dibble (ProcIOA, Vol 13, Part 8, 1991).
8. A study of Low Frequency Sound from Pop Concerts, J.E.T. Griffiths, J. Staunton and S. Kamath (ProcIOA, Vol 15, Part 7, 1993)

## APPENDIX II

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J. Sargent	Building Research Establishment
J. Staunton	Associate, Travers Morgan Environment

\* Full members of the Noise Council

## APPENDIX III

### Sample Conditions Concerning Environmental Noise Control at Concerts

- 1.0 The licensee shall appoint a suitably qualified and experienced noise control consultant<sup>+</sup>, to the approval of the Licensing Authority, no later than..... weeks prior to the event. The noise control consultant<sup>+</sup> shall liaise between all parties including the Licensee, Promoter, sound system supplier, sound engineer and the licensing authority etc. on all matters relating to noise control prior to and during the event.
- 2.0 If not already carried out, the noise control consultant<sup>+</sup> 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..... locations around the venue representative of the noise sensitive premises likely to experience the largest increase in noise/highest noise level\* as a result of the concert. The information obtained from this survey shall be made available to the licensing authority..... weeks prior to the event.
- 3.0 A noise propagation test shall be undertaken at least..... hours prior to the start of the event 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 event. The sound source used for the test shall be similar in character to the music likely to be produced during the event.

- 4.0 The control limits set at the mixer position shall be adequate to ensure that Music Noise Level (MNL) shall not at any noise sensitive premises exceed.....dB(A) over a 15 minute period/the background noise level by more than .....dB(A) over a 15 minute period\* throughout the duration of the concert.
- 5.0 The control limits set at the mixer position shall be adequate to ensure that the MNL shall not at any noise sensitive premises exceed.....dB(A) over a 15 minute period/the background noise level by more than .....dB(A) over a 15 minute period\* throughout any rehearsal or sound check for the event.
- 6.0 The Licensee shall ensure that the promoter, sound system supplier and all individual sound engineers are informed of the sound control limits and that any instructions from the noise control consultant\* regarding noise levels shall be implemented.
- 7.0 The appointed noise control consultant\* shall continually monitor noise levels at the sound mixer position and advise 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.
- 8.0 Rehearsals and sound checks are permitted only between the following hours:  
.....hrs to.....hrs.

9.0 Music from the event is permitted only between the following hours:  
.....hrs to.....hrs.

Note: Suitable noise conditions should also be considered with respect to minimising noise exposure to the audience and people working at the event as advised in the HSE document "Guide to Health, Safety and Welfare at Pop Concerts and Similar Events".

\*delete as appropriate.

\*i.e. the Noise Consultant

## **THE NOISE COUNCIL**

The Noise Council was established by a group of professional bodies concerned with problems relating to noise and vibration in the community and industrial environments. Its aims and objectives are to promote and respond to issues relating to noise and vibration, and to make independent technical and scientific expertise available to international and national agencies, central and local government, commerce and industry.

The Founding Bodies are:

- The Chartered Institute of Environmental Health
- The Institute of Acoustics
- The Royal Environmental Health Institute of Scotland
- The Institute of Occupational Safety & Health

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# **GUIDELINES**

FOR

## **COMMUNITY NOISE**

**Edited by**

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This WHO document on the *Guidelines for Community Noise* is the outcome of the WHO- expert task force meeting held in London, United Kingdom, in April 1999. It bases on the document entitled "Community Noise" that was prepared for the World Health Organization and published in 1995 by the Stockholm University and Karolinska Institute.



**World Health Organization, Geneva**  
Cluster of Sustainable Development and Healthy Environment (SDE)  
Department of the Protection of the Human Environment (PHE)  
Occupational and Environmental Health (OEH)



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## Foreword

Noise has always been an important environmental problem for man. In ancient Rome, rules existed as to the noise emitted from the ironed wheels of wagons which battered the stones on the pavement, causing disruption of sleep and annoyance to the Romans. In Medieval Europe, horse carriages and horse back riding were not allowed during night time in certain cities to ensure a peaceful sleep for the inhabitants. However, the noise problems of the past are incomparable with those of modern society. An immense number of cars regularly cross our cities and the countryside. There are heavily laden lorries with diesel engines, badly silenced both for engine and exhaust noise, in cities and on highways day and night. Aircraft and trains add to the environmental noise scenario. In industry, machinery emits high noise levels and amusement centres and pleasure vehicles distract leisure time relaxation.

In comparison to other pollutants, the control of environmental noise has been hampered by insufficient knowledge of its effects on humans and of dose-response relationships as well as a lack of defined criteria. While it has been suggested that noise pollution is primarily a “luxury” problem for developed countries, one cannot ignore that the exposure is often higher in developing countries, due to bad planning and poor construction of buildings. The effects of the noise are just as widespread and the long term consequences for health are the same. In this perspective, practical action to limit and control the exposure to environmental noise are essential. Such action must be based upon proper scientific evaluation of available data on effects, and particularly dose-response relationships. The basis for this is the process of risk assessment and risk management.

The extent of the noise problem is large. In the European Union countries about 40 % of the population are exposed to road traffic noise with an equivalent sound pressure level exceeding 55 dB(A) daytime and 20 % are exposed to levels exceeding 65 dB(A). Taking all exposure to transportation noise together about half of the European Union citizens are estimated to live in zones which do not ensure acoustical comfort to residents. More than 30 % are exposed at night to equivalent sound pressure levels exceeding 55 dB(A) which are disturbing to sleep. The noise pollution problem is also severe in cities of developing countries and caused mainly by traffic. Data collected alongside densely travelled roads were found to have equivalent sound pressure levels for 24 hours of 75 to 80 dB(A).

The scope of WHO's effort to derive guidelines for community noise is to consolidate actual scientific knowledge on the health impacts of community noise and to provide guidance to environmental health authorities and professional trying to protect people from the harmful effects of noise in non-industrial environments. Guidance on the health effects of noise exposure of the population has already been given in an early publication of the series of Environmental Health Criteria. The health risk to humans from exposure to environmental noise was evaluated and guidelines values derived. The issue of noise control and health protection was briefly addressed.

At a WHO/EURO Task Force Meeting in Düsseldorf, Germany, in 1992, the health criteria and guideline values were revised and it was agreed upon updated guidelines in consensus. The essentials of the deliberations of the Task Force were published by Stockholm University and Karolinska Institute in 1995. In a recent Expert Task Force Meeting convened in April 1999 in London, United Kingdom, the Guidelines for Community Noise were extended to provide global coverage and applicability, and the issues of noise assessment and control were addressed in more detail. This document is the outcome of the consensus deliberations of the WHO Expert Task Force.

**Dr Richard Helmer**  
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**Cluster Sustainable Development and Healthy Environments**

## Preface

Community noise (also called environmental noise, residential noise or domestic noise) is defined as noise emitted from all sources except noise at the industrial workplace. Main sources of community noise include road, rail and air traffic, industries, construction and public work, and the neighbourhood. The main indoor sources of noise are ventilation systems, office machines, home appliances and neighbours. Typical neighbourhood noise comes from premises and installations related to the catering trade (restaurant, cafeterias, discotheques, etc.); from live or recorded music; sport events including motor sports; playgrounds; car parks; and domestic animals such as barking dogs. Many countries have regulated community noise from road and rail traffic, construction machines and industrial plants by applying emission standards, and by regulating the acoustical properties of buildings. In contrast, few countries have regulations on community noise from the neighbourhood, probably due to the lack of methods to define and measure it, and to the difficulty of controlling it. In large cities throughout the world, the general population is increasingly exposed to community noise due to the sources mentioned above and the health effects of these exposures are considered to be a more and more important public health problem. Specific effects to be considered when setting community noise guidelines include: interference with communication; noise-induced hearing loss; sleep disturbance effects; cardiovascular and psychophysiological effects; performance reduction effects; annoyance responses; and effects on social behaviour.

Since 1980, the World Health Organization (WHO) has addressed the problem of community noise. Health-based guidelines on community noise can serve as the basis for deriving noise standards within a framework of noise management. Key issues of noise management include abatement options; models for forecasting and for assessing source control action; setting noise emission standards for existing and planned sources; noise exposure assessment; and testing the compliance of noise exposure with noise immission standards. In 1992, the WHO Regional Office for Europe convened a task force meeting which set up guidelines for community noise. A preliminary publication of the Karolinska Institute, Stockholm, on behalf of WHO, appeared in 1995. This publication served as the basis for the globally applicable *Guidelines for Community Noise* presented in this document. An expert task force meeting was convened by WHO in March 1999 in London, United Kingdom, to finalize the guidelines.

The *Guidelines for Community Noise* have been prepared as a practical response to the need for action on community noise at the local level, as well as the need for improved legislation, management and guidance at the national and regional levels. WHO will be pleased to see that these guidelines are used widely. Continuing efforts will be made to improve its content and structure. It would be appreciated if the users of the *Guidelines* provide feedback from its use and their own experiences. Please send your comments and suggestions on the *WHO Guidelines for Community Noise – Guideline document* to the Department of the Protection of the Human Environment, Occupational and Environmental Health, World Health Organization, Geneva, Switzerland (Fax: +41 22-791 4123, e-mail: [schwelad@who.int](mailto:schwelad@who.int)).

## Acknowledgements

The World Health Organization thanks all who have contributed to the preparation of this document, *Guidelines for Community Noise*. The international, multidisciplinary group of contributors to, and reviewers of, the *Guidelines* are listed in the "Participant list" in Annex 6. Special thanks are due to the chairpersons and workgroups of the WHO expert task force meeting held in London, United Kingdom, in March 1999: Professor Thomas Lindvall, who acted as the chairperson of the meeting, Professor Birgitta Berglund, Dr John Bradley and Professor Gerd Jansen, who chaired the three workgroups. Special contributions from those who provided the background papers and who contributed to the success of the WHO expert meeting are gratefully acknowledged:

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## Executive Summary

### 1. Introduction

Community noise (also called environmental noise, residential noise or domestic noise) is defined as noise emitted from all sources except noise at the industrial workplace. Main sources of community noise include road, rail and air traffic; industries; construction and public work; and the neighbourhood. The main indoor noise sources are ventilation systems, office machines, home appliances and neighbours.

In the European Union about 40% of the population is exposed to road traffic noise with an equivalent sound pressure level exceeding 55 dB(A) daytime, and 20% are exposed to levels exceeding 65 dB(A). When all transportation noise is considered, more than half of all European Union citizens is estimated to live in zones that do not ensure acoustical comfort to residents. At night, more than 30% are exposed to equivalent sound pressure levels exceeding 55 dB(A), which are disturbing to sleep. Noise pollution is also severe in cities of developing countries. It is caused mainly by traffic and alongside densely-travelled roads equivalent sound pressure levels for 24 hours can reach 75–80 dB(A).

In contrast to many other environmental problems, noise pollution continues to grow and it is accompanied by an increasing number of complaints from people exposed to the noise. The growth in noise pollution is unsustainable because it involves direct, as well as cumulative, adverse health effects. It also adversely affects future generations, and has socio-cultural, esthetic and economic effects.

### 2. Noise sources and measurement

Physically, there is no distinction between sound and noise. Sound is a sensory perception and the complex pattern of sound waves is labeled noise, music, speech etc. Noise is thus defined as unwanted sound.

Most environmental noises can be approximately described by several simple measures. All measures consider the frequency content of the sounds, the overall sound pressure levels and the variation of these levels with time. Sound pressure is a basic measure of the vibrations of air that make up sound. Because the range of sound pressures that human listeners can detect is very wide, these levels are measured on a logarithmic scale with units of decibels. Consequently, sound pressure levels cannot be added or averaged arithmetically. Also, the sound levels of most noises vary with time, and when sound pressure levels are calculated, the instantaneous pressure fluctuations must be integrated over some time interval.

Most environmental sounds are made up of a complex mix of many different frequencies. Frequency refers to the number of vibrations per second of the air in which the sound is propagating and it is measured in Hertz (Hz). The audible frequency range is normally considered to be 20–20 000 Hz for younger listeners with unimpaired hearing. However, our hearing systems are not equally sensitive to all sound frequencies, and to compensate for this various types of filters or frequency weighting have been used to determine the relative strengths of frequency components making up a particular environmental noise. The A-weighting is most commonly used and weights lower frequencies as less important than mid- and higher-frequencies. It is intended to approximate the frequency response of our hearing system.

The effect of a combination of noise events is related to the combined sound energy of those events (the equal energy principle). The sum of the total energy over some time period gives a level equivalent to the average sound energy over that period. Thus,  $L_{Aeq,T}$  is the energy average equivalent level of the A-weighted sound over a period T.  $L_{Aeq,T}$  should be used to measure continuing sounds, such as road traffic noise or types of more-or-less continuous industrial noises. However, when there are distinct events to the noise, as with aircraft or railway noise, measures of individual events such as the maximum

noise level (LA<sub>max</sub>), or the weighted sound exposure level (SEL), should also be obtained in addition to LA<sub>eq,T</sub>. Time-varying environmental sound levels have also been described in terms of percentile levels.

Currently, the recommended practice is to assume that the equal energy principle is approximately valid for most types of noise and that a simple LA<sub>eq,T</sub> measure will indicate the expected effects of the noise reasonably well. When the noise consists of a small number of discrete events, the A-weighted maximum level (LA<sub>max</sub>) is a better indicator of the disturbance to sleep and other activities. In most cases, however, the A-weighted sound exposure level (SEL) provides a more consistent measure of single-noise events because it is based on integration over the complete noise event. In combining day and night LA<sub>eq,T</sub> values, night-time weightings are often added. Night-time weightings are intended to reflect the expected increased sensitivity to annoyance at night, but they do not protect people from sleep disturbance.

Where there are no clear reasons for using other measures, it is recommended that LA<sub>eq,T</sub> be used to evaluate more-or-less continuous environmental noises. Where the noise is principally composed of a small number of discrete events, the additional use of LA<sub>max</sub> or SEL is recommended. There are definite limitations to these simple measures, but there are also many practical advantages, including economy and the benefits of a standardized approach.

### 3. Adverse health effects of noise

The health significance of noise pollution is given in chapter 3 of the *Guidelines* under separate headings according to the specific effects: noise-induced hearing impairment; interference with speech communication; disturbance of rest and sleep; psychophysiological, mental-health and performance effects; effects on residential behaviour and annoyance; and interference with intended activities. This chapter also considers vulnerable groups and the combined effects of mixed noise sources.

*Hearing impairment* is typically defined as an increase in the threshold of hearing. Hearing deficits may be accompanied by tinnitus (ringing in the ears). Noise-induced hearing impairment occurs predominantly in the higher frequency range of 3 000–6 000 Hz, with the largest effect at 4 000 Hz. But with increasing LA<sub>eq,8h</sub> and increasing exposure time, noise-induced hearing impairment occurs even at frequencies as low as 2 000 Hz. However, hearing impairment is not expected to occur at LA<sub>eq,8h</sub> levels of 75 dB(A) or below, even for prolonged occupational noise exposure.

Worldwide, noise-induced hearing impairment is the most prevalent irreversible occupational hazard and it is estimated that 120 million people worldwide have disabling hearing difficulties. In developing countries, not only occupational noise but also environmental noise is an increasing risk factor for hearing impairment. Hearing damage can also be caused by certain diseases, some industrial chemicals, ototoxic drugs, blows to the head, accidents and hereditary origins. Hearing deterioration is also associated with the ageing process itself (presbycusis).

The extent of hearing impairment in populations exposed to occupational noise depends on the value of LA<sub>eq,8h</sub>, the number of noise-exposed years, and on individual susceptibility. Men and women are equally at risk for noise-induced hearing impairment. It is expected that environmental and leisure-time noise with a LA<sub>eq,24h</sub> of 70 dB(A) or below will not cause hearing impairment in the large majority of people, even after a lifetime exposure. For adults exposed to impulse noise at the workplace, the noise limit is set at peak sound pressure levels of 140 dB, and the same limit is assumed to be appropriate for environmental and leisure-time noise. In the case of children, however, taking into account their habits while playing with noisy toys, the peak sound pressure should never exceed 120 dB. For shooting noise with LA<sub>eq,24h</sub> levels greater than 80 dB(A), there may be an increased risk for noise-induced hearing impairment.



The main social consequence of hearing impairment is the inability to understand speech in daily living conditions, and this is considered to be a severe social handicap. Even small values of hearing impairment (10 dB averaged over 2 000 and 4 000 Hz and over both ears) may adversely affect speech comprehension.

*Speech intelligibility* is adversely affected by noise. Most of the acoustical energy of speech is in the frequency range of 100–6 000 Hz, with the most important cue-bearing energy being between 300–3 000 Hz. Speech interference is basically a masking process, in which simultaneous interfering noise renders speech incapable of being understood. Environmental noise may also mask other acoustical signals that are important for daily life, such as door bells, telephone signals, alarm clocks, fire alarms and other warning signals, and music.

Speech intelligibility in everyday living conditions is influenced by speech level; speech pronunciation; talker-to-listener distance; sound level and other characteristics of the interfering noise; hearing acuity; and by the level of attention. Indoors, speech communication is also affected by the reverberation characteristics of the room. Reverberation times over 1 s produce loss in speech discrimination and make speech perception more difficult and straining. For full sentence intelligibility in listeners with normal hearing, the signal-to-noise ratio (i.e. the difference between the speech level and the sound level of the interfering noise) should be at least 15 dB(A). Since the sound pressure level of normal speech is about 50 dB(A), noise with sound levels of 35 dB(A) or more interferes with the intelligibility of speech in smaller rooms. For vulnerable groups even lower background levels are needed, and a reverberation time below 0.6 s is desirable for adequate speech intelligibility, even in a quiet environment.

The inability to understand speech results in a large number of personal handicaps and behavioural changes. Particularly vulnerable are the hearing impaired, the elderly, children in the process of language and reading acquisition, and individuals who are not familiar with the spoken language.

*Sleep disturbance* is a major effect of environmental noise. It may cause primary effects during sleep, and secondary effects that can be assessed the day after night-time noise exposure. Uninterrupted sleep is a prerequisite for good physiological and mental functioning, and the primary effects of sleep disturbance are: difficulty in falling asleep; awakenings and alterations of sleep stages or depth; increased blood pressure, heart rate and finger pulse amplitude; vasoconstriction; changes in respiration; cardiac arrhythmia; and increased body movements. The difference between the sound levels of a noise event and background sound levels, rather than the absolute noise level, may determine the reaction probability. The probability of being awakened increases with the number of noise events per night. The secondary, or after-effects, the following morning or day(s) are: reduced perceived sleep quality; increased fatigue; depressed mood or well-being; and decreased performance.

For a good night's sleep, the equivalent sound level should not exceed 30 dB(A) for continuous background noise, and individual noise events exceeding 45 dB(A) should be avoided. In setting limits for single night-time noise exposures, the intermittent character of the noise has to be taken into account. This can be achieved, for example, by measuring the number of noise events, as well as the difference between the maximum sound level and the background sound level. Special attention should also be given to: noise sources in an environment with low background sound levels; combinations of noise and vibrations; and to noise sources with low-frequency components.

*Physiological Functions.* In workers exposed to noise, and in people living near airports, industries and noisy streets, noise exposure may have a large temporary, as well as permanent, impact on physiological functions. After prolonged exposure, susceptible individuals in the general population may develop permanent effects, such as hypertension and ischaemic heart disease associated with exposure to high sound levels. The magnitude and duration of the effects are determined in part by individual characteristics, lifestyle behaviours and environmental conditions. Sounds also evoke reflex responses, particularly when they are unfamiliar and have a sudden onset.

Workers exposed to high levels of industrial noise for 5–30 years may show increased blood pressure and an increased risk for hypertension. Cardiovascular effects have also been demonstrated after long-term exposure to air- and road-traffic with LAeq,24h values of 65–70 dB(A). Although the associations are weak, the effect is somewhat stronger for ischaemic heart disease than for hypertension. Still, these small risk increments are important because a large number of people are exposed.

*Mental Illness.* Environmental noise is not believed to cause mental illness directly, but it is assumed that it can accelerate and intensify the development of latent mental disorders. Exposure to high levels of occupational noise has been associated with development of neurosis, but the findings on environmental noise and mental-health effects are inconclusive. Nevertheless, studies on the use of drugs such as tranquillizers and sleeping pills, on psychiatric symptoms and on mental hospital admission rates, suggest that community noise may have adverse effects on mental health.

*Performance.* It has been shown, mainly in workers and children, that noise can adversely affect performance of cognitive tasks. Although noise-induced arousal may produce better performance in simple tasks in the short term, cognitive performance substantially deteriorates for more complex tasks. Reading, attention, problem solving and memorization are among the cognitive effects most strongly affected by noise. Noise can also act as a distracting stimulus and impulsive noise events may produce disruptive effects as a result of startle responses.

Noise exposure may also produce after-effects that negatively affect performance. In schools around airports, children chronically exposed to aircraft noise under-perform in proof reading, in persistence on challenging puzzles, in tests of reading acquisition and in motivational capabilities. It is crucial to recognize that some of the adaptation strategies to aircraft noise, and the effort necessary to maintain task performance, come at a price. Children from noisier areas have heightened sympathetic arousal, as indicated by increased stress hormone levels, and elevated resting blood pressure. Noise may also produce impairments and increase in errors at work, and some accidents may be an indicator of performance deficits.

*Social and Behavioural Effects of Noise; Annoyance.* Noise can produce a number of social and behavioural effects as well as annoyance. These effects are often complex, subtle and indirect and many effects are assumed to result from the interaction of a number of non-auditory variables. The effect of community noise on annoyance can be evaluated by questionnaires or by assessing the disturbance of specific activities. However, it should be recognized that equal levels of different traffic and industrial noises cause different magnitudes of annoyance. This is because annoyance in populations varies not only with the characteristics of the noise, including the noise source, but also depends to a large degree on many non-acoustical factors of a social, psychological, or economic nature. The correlation between noise exposure and general annoyance is much higher at group level than at individual level. Noise above 80 dB(A) may also reduce helping behaviour and increase aggressive behaviour. There is particular concern that high-level continuous noise exposures may increase the susceptibility of schoolchildren to feelings of helplessness.

Stronger reactions have been observed when noise is accompanied by vibrations and contains low-frequency components, or when the noise contains impulses, such as with shooting noise. Temporary, stronger reactions occur when the noise exposure increases over time, compared to a constant noise exposure. In most cases, LAeq,24h and L<sub>dn</sub> are acceptable approximations of noise exposure related to annoyance. However, there is growing concern that all the component parameters should be individually assessed in noise exposure investigations, at least in the complex cases. There is no consensus on a model for total annoyance due to a combination of environmental noise sources.

*Combined Effects on Health of Noise from Mixed Sources.* Many acoustical environments consist of sounds from more than one source, i.e. there are mixed sources, and some combinations of effects are common. For example, noise may interfere with speech in the day and create sleep disturbance at night.

These conditions certainly apply to residential areas heavily polluted with noise. Therefore, it is important that the total adverse health load of noise be considered over 24 hours, and that the precautionary principle for sustainable development be applied.

*Vulnerable Subgroups.* Vulnerable subgroups of the general population should be considered when recommending noise protection or noise regulations. The types of noise effects, specific environments and specific lifestyles are all factors that should be addressed for these subgroups. Examples of vulnerable subgroups are: people with particular diseases or medical problems (e.g. high blood pressure); people in hospitals or rehabilitating at home; people dealing with complex cognitive tasks; the blind; people with hearing impairment; fetuses, babies and young children; and the elderly in general. People with impaired hearing are the most adversely affected with respect to speech intelligibility. Even slight hearing impairments in the high-frequency sound range may cause problems with speech perception in a noisy environment. A majority of the population belongs to the subgroup that is vulnerable to speech interference.

#### 4. Guideline values

In chapter 4, guideline values are given for specific health effects of noise and for specific environments.

##### Specific health effects.

*Interference with Speech Perception.* A majority of the population is susceptible to speech interference by noise and belongs to a vulnerable subgroup. Most sensitive are the elderly and persons with impaired hearing. Even slight hearing impairments in the high-frequency range may cause problems with speech perception in a noisy environment. From about 40 years of age, the ability of people to interpret difficult, spoken messages with low linguistic redundancy is impaired compared to people 20–30 years old. It has also been shown that high noise levels and long reverberation times have more adverse effects in children, who have not completed language acquisition, than in young adults.

When listening to complicated messages (at school, foreign languages, telephone conversation) the signal-to-noise ratio should be at least 15 dB with a voice level of 50 dB(A). This sound level corresponds on average to a casual voice level in both women and men at 1 m distance. Consequently, for clear speech perception the background noise level should not exceed 35 dB(A). In classrooms or conference rooms, where speech perception is of paramount importance, or for sensitive groups, background noise levels should be as low as possible. Reverberation times below 1 s are also necessary for good speech intelligibility in smaller rooms. For sensitive groups, such as the elderly, a reverberation time below 0.6 s is desirable for adequate speech intelligibility even in a quiet environment.

*Hearing Impairment.* Noise that gives rise to hearing impairment is by no means restricted to occupational situations. High noise levels can also occur in open air concerts, discotheques, motor sports, shooting ranges, in dwellings from loudspeakers, or from leisure activities. Other important sources of loud noise are headphones, as well as toys and fireworks which can emit impulse noise. The ISO standard 1999 gives a method for estimating noise-induced hearing impairment in populations exposed to all types of noise (continuous, intermittent, impulse) during working hours. However, the evidence strongly suggests that this method should also be used to calculate hearing impairment due to noise exposure from environmental and leisure time activities. The ISO standard 1999 implies that long-term exposure to  $L_{Aeq,24h}$  noise levels of up to 70 dB(A) will not result in hearing impairment. To avoid hearing loss from impulse noise exposure, peak sound pressures should never exceed 140 dB for adults, and 120 dB for children.

***Sleep Disturbance.*** Measurable effects of noise on sleep begin at LAeq levels of about 30 dB. However, the more intense the background noise, the more disturbing is its effect on sleep. Sensitive groups mainly include the elderly, shift workers, people with physical or mental disorders and other individuals who have difficulty sleeping.

Sleep disturbance from intermittent noise events increases with the maximum noise level. Even if the total equivalent noise level is fairly low, a small number of noise events with a high maximum sound pressure level will affect sleep. Therefore, to avoid sleep disturbance, guidelines for community noise should be expressed in terms of the equivalent sound level of the noise, as well as in terms of maximum noise levels and the number of noise events. It should be noted that low-frequency noise, for example, from ventilation systems, can disturb rest and sleep even at low sound pressure levels.

When noise is continuous, the equivalent sound pressure level should not exceed 30 dB(A) indoors, if negative effects on sleep are to be avoided. For noise with a large proportion of low-frequency sound a still lower guideline value is recommended. When the background noise is low, noise exceeding 45 dB LAmax should be limited, if possible, and for sensitive persons an even lower limit is preferred. Noise mitigation targeted to the first part of the night is believed to be an effective means for helping people fall asleep. It should be noted that the adverse effect of noise partly depends on the nature of the source. A special situation is for newborns in incubators, for which the noise can cause sleep disturbance and other health effects.

***Reading Acquisition.*** Chronic exposure to noise during early childhood appears to impair reading acquisition and reduces motivational capabilities. Evidence indicates that the longer the exposure, the greater the damage. Of recent concern are the concomitant psychophysiological changes (blood pressure and stress hormone levels). There is insufficient information on these effects to set specific guideline values. It is clear, however, that daycare centres and schools should not be located near major noise sources, such as highways, airports, and industrial sites.

***Annoyance.*** The capacity of a noise to induce annoyance depends upon its physical characteristics, including the sound pressure level, spectral characteristics and variations of these properties with time. During daytime, few people are highly annoyed at LAeq levels below 55 dB(A), and few are moderately annoyed at LAeq levels below 50 dB(A). Sound levels during the evening and night should be 5–10 dB lower than during the day. Noise with low-frequency components require lower guideline values. For intermittent noise, it is emphasized that it is necessary to take into account both the maximum sound pressure level and the number of noise events. Guidelines or noise abatement measures should also take into account residential outdoor activities.

***Social Behaviour.*** The effects of environmental noise may be evaluated by assessing its interference with social behavior and other activities. For many community noises, interference with rest/recreation/watching television seem to be the most important effects. There is fairly consistent evidence that noise above 80 dB(A) causes reduced helping behavior, and that loud noise also increases aggressive behavior in individuals predisposed to aggressiveness. In schoolchildren, there is also concern that high levels of chronic noise contribute to feelings of helplessness. Guidelines on this issue, together with cardiovascular and mental effects, must await further research.

#### **Specific environments.**

A noise measure based only on energy summation and expressed as the conventional equivalent measure, LAeq, is not enough to characterize most noise environments. It is equally important to measure the maximum values of noise fluctuations, preferably combined with a measure of the number of noise events. If the noise includes a large proportion of low-frequency components, still lower values than the guideline values below will be needed. When prominent low-frequency components are present, noise

measures based on A-weighting are inappropriate. The difference between dB(C) and dB(A) will give crude information about the presence of low-frequency components in noise, but if the difference is more than 10 dB, it is recommended that a frequency analysis of the noise be performed. It should be noted that a large proportion of low-frequency components in noise may increase considerably the adverse effects on health.

*In Dwellings.* The effects of noise in dwellings, typically, are sleep disturbance, annoyance and speech interference. For bedrooms the critical effect is sleep disturbance. Indoor guideline values for bedrooms are 30 dB LAeq for continuous noise and 45 dB L<sub>Amax</sub> for single sound events. Lower noise levels may be disturbing depending on the nature of the noise source. At night-time, outside sound levels about 1 metre from facades of living spaces should not exceed 45 dB LAeq, so that people may sleep with bedroom windows open. This value was obtained by assuming that the noise reduction from outside to inside with the window open is 15 dB. To enable casual conversation indoors during daytime, the sound level of interfering noise should not exceed 35 dB LAeq. The maximum sound pressure level should be measured with the sound pressure meter set at "Fast".

To protect the majority of people from being seriously annoyed during the daytime, the outdoor sound level from steady, continuous noise should not exceed 55 dB LAeq on balconies, terraces and in outdoor living areas. To protect the majority of people from being moderately annoyed during the daytime, the outdoor sound level should not exceed 50 dB LAeq. Where it is practical and feasible, the lower outdoor sound level should be considered the maximum desirable sound level for new development.

*In Schools and Preschools.* For schools, the critical effects of noise are speech interference, disturbance of information extraction (e.g. comprehension and reading acquisition), message communication and annoyance. To be able to hear and understand spoken messages in class rooms, the background sound level should not exceed 35 dB LAeq during teaching sessions. For hearing impaired children, a still lower sound level may be needed. The reverberation time in the classroom should be about 0.6 s, and preferably lower for hearing impaired children. For assembly halls and cafeterias in school buildings, the reverberation time should be less than 1 s. For outdoor playgrounds the sound level of the noise from external sources should not exceed 55 dB LAeq, the same value given for outdoor residential areas in daytime.

For preschools, the same critical effects and guideline values apply as for schools. In bedrooms in preschools during sleeping hours, the guideline values for bedrooms in dwellings should be used.

*In Hospitals.* For most spaces in hospitals, the critical effects are sleep disturbance, annoyance, and communication interference, including warning signals. The L<sub>Amax</sub> of sound events during the night should not exceed 40 dB(A) indoors. For ward rooms in hospitals, the guideline values indoors are 30dB LAeq, together with 40 dB L<sub>Amax</sub> during night. During the day and evening the guideline value indoors is 30 dB LAeq. The maximum level should be measured with the sound pressure instrument set at "Fast".

Since patients have less ability to cope with stress, the LAeq level should not exceed 35 dB in most rooms in which patients are being treated or observed. Attention should be given to the sound levels in intensive care units and operating theaters. Sound inside incubators may result in health problems for neonates, including sleep disturbance, and may also lead to hearing impairment. Guideline values for sound levels in incubators must await future research.

*Ceremonies, Festivals and Entertainment Events.* In many countries, there are regular ceremonies, festivals and entertainment events to celebrate life periods. Such events typically produce loud sounds, including music and impulsive sounds. There is widespread concern about the effect of loud music and impulsive sounds on young people who frequently attend concerts, discotheques, video arcades, cinemas, amusement parks and spectator events. At these events, the sound level typically exceeds 100 dB LAeq. Such noise exposure could lead to significant hearing impairment after frequent attendances.

Noise exposure for employees of these venues should be controlled by established occupational standards; and at the very least, the same standards should apply to the patrons of these premises. Patrons should not be exposed to sound levels greater than 100 dB LAeq during a four-hour period more than four times per year. To avoid acute hearing impairment the LMax should always be below 110 dB.

*Headphones.* To avoid hearing impairment from music played back in headphones, in both adults and children, the equivalent sound level over 24 hours should not exceed 70 dB(A). This implies that for a daily one hour exposure the LAeq level should not exceed 85 dB(A). To avoid acute hearing impairment LMax should always be below 110 dB(A). The exposures are expressed in free-field equivalent sound level.

*Toys, Fireworks and Firearms.* To avoid acute mechanical damage to the inner ear from impulsive sounds from toys, fireworks and firearms, adults should never be exposed to more than 140 dB(lin) peak sound pressure level. To account for the vulnerability in children when playing, the peak sound pressure produced by toys should not exceed 120 dB(lin), measured close to the ears (100 mm). To avoid acute hearing impairment LMax should always be below 110 dB(A).

*Parkland and Conservation Areas.* Existing large quiet outdoor areas should be preserved and the signal-to-noise ratio kept low.

Table 1 presents the WHO guideline values arranged according to specific environments and critical health effects. The guideline values consider all identified adverse health effects for the specific environment. An adverse effect of noise refers to any temporary or long-term impairment of physical, psychological or social functioning that is associated with noise exposure. Specific noise limits have been set for each health effect, using the lowest noise level that produces an adverse health effect (i.e. the critical health effect). Although the guideline values refer to sound levels impacting the most exposed receiver at the listed environments, they are applicable to the general population. The time base for LAeq for “daytime” and “night-time” is 12–16 hours and 8 hours, respectively. No time base is given for evenings, but typically the guideline value should be 5–10 dB lower than in the daytime. Other time bases are recommended for schools, preschools and playgrounds, depending on activity.

It is not enough to characterize the noise environment in terms of noise measures or indices based only on energy summation (e.g., LAeq), because different critical health effects require different descriptions. It is equally important to display the maximum values of the noise fluctuations, preferably combined with a measure of the number of noise events. A separate characterization of night-time noise exposures is also necessary. For indoor environments, reverberation time is also an important factor for things such as speech intelligibility. If the noise includes a large proportion of low-frequency components, still lower guideline values should be applied. Supplementary to the guideline values given in Table 1, precautions should be taken for vulnerable groups and for noise of certain character (e.g. low-frequency components, low background noise).



**Table 1: Guideline values for community noise in specific environments.**

Specific environment	Critical health effect(s)	L <sub>Aeq</sub> [dB(A)]	Time base [hours]	L <sub>Amax</sub> fast [dB]
Outdoor living area	Serious annoyance, daytime and evening Moderate annoyance, daytime and evening	55 50	16 16	- -
Dwelling, indoors	Speech intelligibility & moderate annoyance, daytime & evening	35	16	
Inside bedrooms	Sleep disturbance, night-time	30	8	45
Outside bedrooms	Sleep disturbance, window open (outdoor values)	45	8	60
School class rooms & pre-schools, indoors	Speech intelligibility, disturbance of information extraction, message communication	35	during class	-
Pre-school bedrooms, indoor	Sleep disturbance	30	sleeping-time	45
School, playground outdoor	Annoyance (external source)	55	during play	-
Hospital, ward rooms, indoors	Sleep disturbance, night-time Sleep disturbance, daytime and evenings	30 30	8 16	40 -
Hospitals, treatment rooms, indoors	Interference with rest and recovery	#1		
Industrial, commercial shopping and traffic areas, indoors and outdoors	Hearing impairment	70	24	110
Ceremonies, festivals and entertainment events	Hearing impairment (patrons:<5 times/year)	100	4	110
Public addresses, indoors and outdoors	Hearing impairment	85	1	110
Music and other sounds through headphones/earphones	Hearing impairment (free-field value)	85 #4	1	110
Impulse sounds from toys, fireworks and firearms	Hearing impairment (adults) Hearing impairment (children)	- -	- -	140 #2 120 #2
Outdoors in parkland and conservations areas	Disruption of tranquillity	#3		

#1: As low as possible.

- #2: Peak sound pressure (not LAF, max) measured 100 mm from the ear.
- #3: Existing quiet outdoor areas should be preserved and the ratio of intruding noise to natural background sound should be kept low.
- #4: Under headphones, adapted to free-field values.

## 5. Noise Management

Chapter 5 is devoted to noise management with discussions on: strategies and priorities in managing indoor noise levels; noise policies and legislation; the impact of environmental noise; and on the enforcement of regulatory standards.

The fundamental goals of noise management are to develop criteria for deriving safe noise exposure levels and to promote noise assessment and control as part of environmental health programmes. These basic goals should guide both international and national policies for noise management. The United Nation's Agenda 21 supports a number of environmental management principles on which government policies, including noise management policies, can be based: the principle of precaution; the "polluter pays" principle; and noise prevention. In all cases, noise should be reduced to the lowest level achievable in the particular situation. When there is a reasonable possibility that the public health will be endangered, even though scientific proof may be lacking, action should be taken to protect the public health, without awaiting the full scientific proof. The full costs associated with noise pollution (including monitoring, management, lowering levels and supervision) should be met by those responsible for the source of noise. Action should be taken where possible to reduce noise at the source.

A legal framework is needed to provide a context for noise management. National noise standards can usually be based on a consideration of international guidelines, such as these *Guidelines for Community Noise*, as well as national criteria documents, which consider dose-response relationships for the effects of noise on human health. National standards take into account the technological, social, economic and political factors within the country. A staged program of noise abatement should also be implemented to achieve the optimum health protection levels over the long term.

Other components of a noise management plan include: noise level monitoring; noise exposure mapping; exposure modeling; noise control approaches (such as mitigation and precautionary measures); and evaluation of control options. Many of the problems associated with high noise levels can be prevented at low cost, if governments develop and implement an integrated strategy for the indoor environment, in concert with all social and economic partners. Governments should establish a "National Plan for a Sustainable Noise Indoor Environment" that applies both to new construction as well as to existing buildings.

The actual priorities in rational noise management will differ for each country. Priority setting in noise management refers to prioritizing the health risks to be avoided and concentrating on the most important sources of noise. Different countries have adopted a range of approaches to noise control, using different policies and regulations. A number of these are outlined in chapter 5 and Appendix 2, as examples. It is evident that noise emission standards have proven insufficient and that the trends in noise pollution are unsustainable.

The concept of environmental an environmental noise impact analysis is central to the philosophy of managing environmental noise. Such an analysis should be required before implementing any project that would significantly increase the level of environmental noise in a community (typically, greater than a 5 dB increase). The analysis should include: a baseline description of the existing noise environment; the



expected level of noise from the new source; an assessment of the adverse health effects; an estimation of the population at risk; the calculation of exposure-response relationships; an assessment of risks and their acceptability; and a cost-benefit analysis.

Noise management should:

1. Start monitoring human exposures to noise.
2. Have health control require mitigation of noise immissions, and not just of noise source emissions. The following should be taken into consideration:
  - specific environments such as schools, playgrounds, homes, hospitals.
  - environments with multiple noise sources, or which may amplify the effects of noise.
  - sensitive time periods such as evenings, nights and holidays.
  - groups at high risk, such as children and the hearing impaired.
3. Consider the noise consequences when planning transport systems and land use.
4. Introduce surveillance systems for noise-related adverse health effects.
5. Assess the effectiveness of noise policies in reducing adverse health effects and exposure, and in improving supportive "soundscapes".
6. Adopt these *Guidelines for Community Noise* as intermediary targets for improving human health.
7. Adopt precautionary actions for a sustainable development of the acoustical environments.

## Conclusions and recommendations

In chapter 6 are discussed: the implementation of the guidelines; further WHO work on noise; and research needs are recommended.

*Implementation.* For implementation of the guidelines it is recommended that:

- Governments should protect the population from community noise and consider it an integral part of their policy of environmental protection.
- Governments should consider implementing action plans with short-term, medium-term and long-term objectives for reducing noise levels.
- Governments should adopt the *Health Guidelines for Community Noise* values as targets to be achieved in the long-term.
- Governments should include noise as an important public health issue in environmental impact assessments.
- Legislation should be put in place to allow for the reduction of sound levels.
- Existing legislation should be enforced.
- Municipalities should develop low noise implementation plans.
- Cost-effectiveness and cost-benefit analyses should be considered potential instruments for meaningful management decisions.
- Governments should support more policy-relevant research.

*Future Work.* The Expert Task Force worked out several suggestions for future work for the WHO in the field of community noise. WHO should:

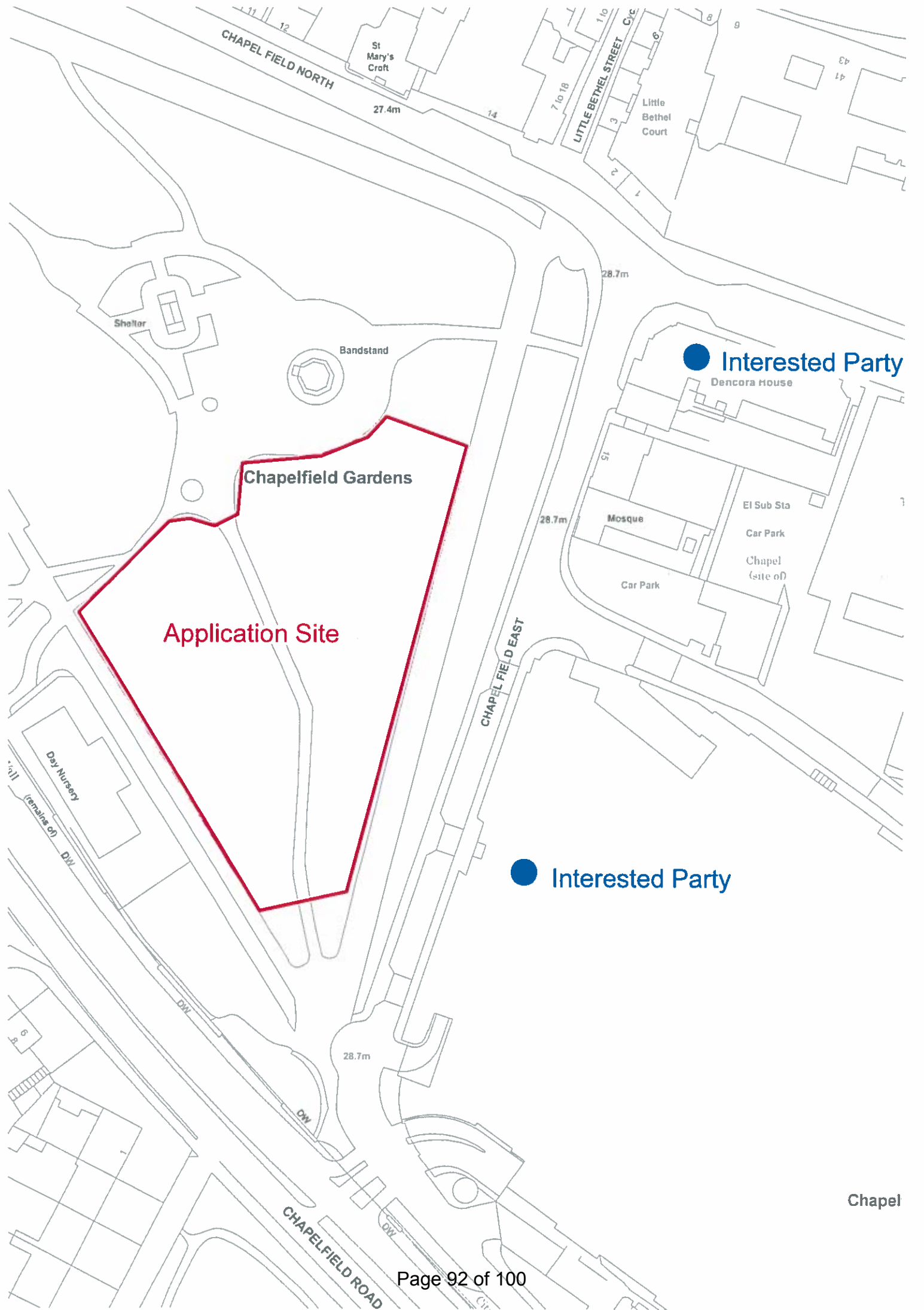
- Provide leadership and technical direction in defining future noise research priorities.
- Organize workshops on how to apply the guidelines.

- Provide leadership and coordinate international efforts to develop techniques for designing supportive sound environments (e.g. "soundscapes").
- Provide leadership for programs to assess the effectiveness of health-related noise policies and regulations.
- Provide leadership and technical direction for the development of sound methodologies for environmental and health impact plans.
- Encourage further investigation into using noise exposure as an indicator of environmental deterioration (e.g. black spots in cities).
- Provide leadership and technical support, and advise developing countries to facilitate development of noise policies and noise management.

*Research and Development.* A major step forward in raising the awareness of both the public and of decision makers is the recommendation to concentrate more research and development on variables which have monetary consequences. This means that research should consider not only dose-response relationships between sound levels, but also politically relevant variables, such as noise-induced social handicap; reduced productivity; decreased performance in learning; workplace and school absenteeism; increased drug use; and accidents.

In Appendices 1–6 are given: bibliographic references; examples of regional noise situations (African Region, American Region, Eastern Mediterranean Region, South East Asian Region, Western Pacific Region); a glossary; a list of acronyms; and a list of participants.





CHAPEL FIELD NORTH

St Mary's Croft

LITTLE BETHEL STREET Cye

Little Bethel Court

Shelter

Bandstand

Chapelfield Gardens

Application Site

Interested Party  
Dencora House

Mosque

El Sub Sta

Car Park

Chapel (site of)

Car Park

CHAPEL FIELD EAST

Interested Party

Day Nursery  
(remains of)

CHAPELFIELD ROAD

Chapel

## Local Policy considerations

### 1.0 Introduction

1.4 The 2003 Act requires the Council to carry out its various licensing functions so as to promote the four licensing objectives. These are:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance
- The Protection of Children from Harm

1.5 The 2003 Act also requires that the Council publishes a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply to promote the Licensing Objectives when making decisions on applications made under the Act.

### 2.0 Consultation and Links to other Policies and Strategies

2.7 So far as possible, the Council will avoid duplication with other regulatory regimes, and will not to use its powers under the Licensing Act 2003 to achieve outcomes that can be achieved by other legislation and other enforcement agencies. As an example, the council will not seek to impose fire safety conditions that may duplicate any requirements or prohibitions that could be imposed under the Regulatory Reform (Fire Safety) Order 2005.

### 3.0 Applications for Licences

**3.2 Applicants must address the four licensing objectives in their operational plan. The operating plan must have regard to the nature of the area where the premises are situated, the type of premises, the licensable activities to be provided, operational procedures and the needs of the local community. The operating schedule must demonstrate how the premises will be "good neighbours" both to residents and to other venues and businesses.**

**3.3 Applicants must provide evidence that suitable and sufficient measures, as detailed in their operating schedule, will be implemented and maintained, relevant to the individual style, location and characteristics of their premises and activities. They must also indicate if additional measures will be taken on an occasional or specific basis, such as when a special event or promotion is planned, which is, for example, likely to attract larger audiences.**

### 4.0 Representations

4.1 "Responsible Authorities" (see Appendix 7) will be asked to consider all applications and to make representations to the Council, if they relate to the promotion of the four licensing objectives and particularly in respect of applications which, might be regarded as contentious. Representations must be

evidentially based and the organisation should attend any hearing when the application is being considered. Representations can be made in opposition to, or in support of, an application.

- 4.2 The Council will consider all representations from any “Interested Party” (see Appendix 7), or their representative, which should preferably be evidentially based and supported by attendance at any hearing at which the application is being considered.
- 4.3 A representation, will only be accepted by the Council if it is ‘relevant’, ie it must relate to the likely effect of granting the licence on the promotion of at least one of the four licensing objectives. Representations, that are regarded as being frivolous or vexatious, will not be considered, and in the case of a review of a licence, any representation which is regarded as repetitious, will also not be considered. A decision as to whether a representation is frivolous, vexatious or repetitive will be made by an officer of the Council.
- 5.0 Conditions attaching to Licences
- 5.1 Where relevant representations are made, the Council will make objective judgments as to whether conditions may need to be attached to the premises licence to secure achievement of the licensing objectives. Any conditions arising as a result of representations will primarily focus on the direct impact of the activities taking place at licensed premises, on those attending the premises, and members of the public living, working or engaged in normal activity in the area concerned, and will cover matters that are within the control of individual licensees.
- 5.2 All applications will be considered on an individual basis and any condition attached to such a licence, will be tailored to each individual premises, in order to avoid the imposition of disproportionate or burdensome conditions on those premises. Therefore, mandatory conditions, will only be imposed where they are appropriate for the promotion of the licensing objectives.
- 8.0 The Impact of Licensed Premises
- 8.1 When considering whether any licensed activity should be permitted, and a relevant representation has been received, the likelihood of it causing unacceptable adverse impact will be assessed by taking into account relevant matters including:
- the type of use, the number of customers likely to attend the premises and the type of customers at the time of the application;
  - the proposed hours of operation;
  - the level of public transport accessibility for customers either arriving or leaving the premises and the likely means of public or private transport that will be used by the customers;
  - the means of access to the premises including the location of customer entrances and exits;
  - the provision of toilet facilities;
  - the frequency of the licensable activity.

With any adverse impact it may be possible to take steps to mitigate or prevent the impact and if such measures are reliable an activity may be licensed.

### 13.0 Management of Licensed Premises

- 13.1 Within the operating schedule for premises from which alcohol will be sold, with the exception of qualifying community premises, a premises supervisor must be designated (designated premises supervisor) and such person must be in possession of a current personal licence. The licensing authority will normally expect the designated premises supervisor [DPS] to have been given the day to day responsibility for running the premises by the premises licence holder and, as such, would normally be present on the licensed premises on a regular basis. In addition to the DPS holding a personal licence, the licensing authority would strongly encourage the DPS to undergo additional training and to have experience commensurate with the nature and style of entertainment provided and the capacity of the premises.
- 13.2 The act does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder remain responsible for the premises at all times and have a duty to comply with the terms of the licensing act and any conditions, including the matters set out in the premises' operating schedule, in order to promote the licensing objectives. To that end, the licensing authority will be mindful of the guidance issued by the secretary of state, which recommends that a personal licence holder/DPS gives specific written authorisations to those individuals they are authorising to retail alcohol. Although written authorisation is not a requirement of the act and the designated premises supervisor/personal licence holder remain ultimately responsible for ensuring compliance with the act and licensing conditions, this action could assist in demonstrating due diligence should any issues arise with regard to enforcement.

**The licensing authority will therefore expect that where the personal licence holder/DPS does not have the premises under their immediate day to day control, written authorisations will be issued to staff acting on their behalf, such authorisations being made available for inspection by a responsible Officer of the licensing authority or the police upon request.**

## **LICENSING OBJECTIVES**

### 24.0 Objective - prevention of public nuisance

24.1 Licensed premises can potentially have a significantly adverse impact on communities through public nuisances that arise from their operation. The amenity of residents and occupiers of other businesses should be maintained and protected from the potential consequence of the operation of licensed premises, whilst recognising the valuable cultural, social and business importance that such premises provide.

24.2 Public nuisance will be interpreted in its widest sense, and will take it to include such issues as noise, light, odour, litter and antisocial behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.

24.3 Applicants should be aware that stricter conditions, including controls on licensing hours for all or some licensable activities will be applied, where licensed premises are in residential areas or where their activities may impact on residents or other business

premises, and where relevant representations have been received. Conversely, premises for which it can be demonstrated have effective measures to prevent public nuisance, may be suitable for longer opening hours.

24.4 The council will normally permit the hours during which alcohol is sold to match the normal trading hours during which other sales take place, unless there are exceptional reasons such as disturbance or disorder attributable to the location and/or the premises, and relevant representations have been made.

24.5 The council believe that the impact a licensed premises can have on a neighbourhood is significantly influenced by the times when those licensed premises are open, and the times when licensable activities are taking place. Consequently, the council has adopted a policy on hours of trading, (section E) and in so doing, has given full consideration to the secretary of state's guidance on hours of trading.

**24.6 Applicants will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance, relevant to the individual style and characteristics of their premises and events. For example, the increasing business requirement for licence holders to provide live or recorded music in premises where this has not previously been the case is especially pertinent, and should be fully assessed on the application.**

24.7 When addressing the issue of prevention of public nuisance, the applicant must demonstrate that those factors that impact on the likelihood of public nuisance have been considered. These may include:

- the location of premises and proximity to residential and other noise sensitive premises, such as hospitals, hospices, care homes and places of worship
- the hours of opening, particularly between 11pm and 7am
- the nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises
- the design and layout of premises and in particular the presence of noise limiting features
- the occupancy capacity of the premises
- the availability of public transport
- wind down period between the end of the licensable activities and closure of the premises
- last admission time
- preventing litter and refuse becoming an eyesore
- consideration of local residents that they are not upset by loud or persistent noise or by excessive light
- preventing cars attending an event or premises from causing a noise nuisance and congestion, and from taking up local people's parking spaces
- avoid early morning or late night refuse collections
- avoiding emptying bins into skips, especially if they contain glass, either late at night or early in the morning
- customers eating, drinking or smoking in open air areas (for example beer gardens/forecourts and other open areas adjacent to the premises).



24.8 The following examples of control measures are given to assist applicants who may need to take account of them in their operating schedule, having regard to their particular type of premises and/or activities:

- Effective and responsible management of premises.
- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance, eg to ensure customers leave quietly.
- Fit prominent signs requesting that customers respect local residents and leave quietly.
- Control of operating hours for all or parts (eg garden areas) of premises, including such matters as deliveries ie not too early in the morning.
- Adoption of best practice guidance (eg Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by Institute of Acoustics, Licensed Property: Noise, published by BBPA).
- Installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices.
- Management of people, including staff, and traffic (and resulting queues) arriving and leaving premises.
- Liaison with public transport providers.
- Siting of external lighting, including security lighting.
- Management arrangements for collection and disposal of waste, empty bottles etc.
- Effective ventilation systems to prevent the emission of unwanted odours.
- Take away packaging to include the name and address of the premises on it.
- Capacity levels for fast food outlets.
- Introduce a chill out area with coffee and mellow music where customers can settle before leaving.
- Introduce a closed door policy, with attendance prohibited for new customers 2 to 3 hours before licensable activities finish.

To address issues arising from customers smoking, eating and drinking in outdoor areas and on the highway outside the premises could include signage asking customers to keep noise to a minimum when using outdoor areas; restrictions on the numbers of customers permitted in certain outside areas and/or at certain times; and use of door-staff and employees to monitor possible public nuisance issues.

## **SECTION E - Hours of Trading**

30.7 Consideration will always be given to an applicant's individual case and if the matter of trading hours has been raised in a representation, the council will take into account any proposals the applicant has to minimise the risk of nuisance or disorder being caused or exacerbated by customers departing from the premises. It is however, unlikely that statements such as the premises being well-managed, or that the applicant is of good character or that the style of the premises is intended and likely to attract a discerning clientele, will alone be sufficient to demonstrate that restrictions on hours of trading should not be applied.

# **APPENDIX D**

## **National Guidance**

**(issued under section 182 of the Licensing Act 2003)**

### **PUBLIC NUISANCE**

2.18 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.19 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It is important to remember that the prevention of public nuisance could therefore include low-level nuisance, perhaps affecting a few people living locally, as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.20 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.21 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.22 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late-evening or early-morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave.

2.23 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.24 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

### **Proposed conditions**

10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

### **Consistency with steps described in operating schedule**

10.6 The 2003 Act provides that where an operating schedule or club operating schedule has been submitted with an application and there have been no relevant representations made by responsible authorities or any other person, the licence or certificate must be granted subject only to such conditions as are consistent with the schedule accompanying the application and any mandatory conditions required under the 2003 Act.

10.7 Consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule. If conditions are broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence or certificate in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder or club must be clear to the licence holder, club, enforcement officers and the courts.

## **Imposed conditions**

10.8 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

10.9 It is possible that, in certain cases, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions are appropriate to promote the licensing objectives.

## **Proportionality**

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.