



**INTERNAL MEMORANDUM**

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To: Rosemary Hughes

Your Ref:

From: Ms G De Gennaro

My Ref: WK/200713408

Date consultation received:

Date: 10th March 2009

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**Address:** Open Air Concert, Charterhouse, Charterhouse Road, Godalming, Surrey.

**Application for a new premises licence.**

**1. Identified Environmental Health issues relevant to the four licensing objectives**

Potential for public nuisance from noise.

**2. Conclusion**

As a Responsible Authority for the Prevention of Public Nuisance, Environmental Health acknowledges that this application follows guidance set in the Code of Practice on Environmental Noise Control at Concerts and the World Health Organisation. However, from the historical perspective, the Jools Holland concert in August 2008 attracted many complaints from a wide area with regard to the volume of the noise created by the live amplified music and voice. The volume was witnessed by two officers from Environmental Health on the night at a complainant's home was extremely loud and in the view of the officers, seriously interfered with the quiet enjoyment of the complainant's home.

Following a site visit with representatives of Charterhouse and much correspondence, a number of proposals were put forward to manage the event from the noise point of view, many of which have been agreed. Eleven conditions have been discussed, of which nine have been accepted by both parties.

### 3. Recommended Conditions

Listed below are the recommended conditions and the representation put forward by Environmental Health. There are two outstanding conditions which are yet to be agreed, namely 2 and 10. The sections in bold italic are the areas still to be accepted. Although there is a Code of Practice on Environmental Noise Control at Concerts which was followed at last years concert, paragraph 1.3 states that "It is recognised that full compliance with this code may not eliminate all complaints, and local factors may affect the likelihood of complaints". In addition, paragraph 1.6 states that compliance with the Code does not of itself confer immunity from legal obligations".

1. The licensee will provide a point of contact to the Environmental Health Section for the duration of the event by nominating a named person and telephone number.

**Reason:** Prevention of Public Nuisance.

2. The music noise level (Leq) shall not exceed 65 dB(A) over a 15 minute period at 1 meter from the nearest noise sensitive property, ***or a level set by the Environmental Health Section.*** This includes sound levels being monitored continuously throughout the entire event, by representatives for the promoter. On site local authority representatives shall be working with them ***when available.*** Special consideration will be given to frequencies with good propagation characteristics; typically the bass octaves centered around 63 Hz and 125 Hz to ensure they do not exceed 70 dB.

**Reason:**Prevention of Public Nuisance.

The levels put forward are from the code of practice and were adhered to during the Jools Holland concert. Due to the number and nature of the complaints received in 2008, the Environmental Health section would like to keep the option of setting the level of the music if they feel that by granting this licence, the noise from the events may or do cause a statutory nuisance under the Environmental Protection Act 1990.

3. The sound system shall be managed and operated in a responsible manner at all times.

**Reason:** Prevention of Public Nuisance.

4. Designated qualified personnel shall be present at the sound control position for the duration of the event for the purpose of ensuring that condition 3 is complied with.

**Reason:** Prevention of Public Nuisance.

5. Access to the sound control position shall be afforded to the representatives of the Director of Community Services at any time throughout the event and during any sound checks.

**Reason:** Prevention of Public Nuisance.

6. A telephone complaints hotline will be made available for the duration of the sound checks and concert. Should complaints of noise arise, at any

time during the event, the promoters acoustic representative will visit the area of complaint and appropriate action will be taken. The Environmental Health Section staff on site will be informed of any complaints that arise.

**Reason:** Prevention of Public Nuisance.

7. A competent and suitably experienced Noise Control Consultant (NCC) and Noise Control Team (NCT) will be appointed for events where necessary. The need for a Noise Control Consultant will be agreed with the Licensing Authority prior to each event.

**Reason:** Prevention of Public Nuisance.

8. There will be continual off-site monitoring conducted for the duration of the event where a Noise Control Consultant is required. Off site environmental music levels will be continually reported back to enable prompt regulation of the stage levels as necessary.

**Reason:** Prevention of Public Nuisance.

9. The licence holder will ensure that all aspects of the operation of the event and provisions made for the event are in compliance with the Event Management Plan as they relate to the prevention of Public Nuisance.

**Reason:** Prevention of Public Nuisance.

**10. A letter/flyer shall be delivered to local residents two weeks before the event, which shall include the following information:**

- **The dates and times of the set up and breakdown activities**
- **Dates and times of sound checks and tests of the public address system**
- **Times of background music**
- **Times for the main performance and any other support acts**
- **Details of the hotline number**

**The content and proposed area of distribution of the letter/flyer shall be agreed with the local authority.**

**Reason:** Prevention of Public Nuisance.

The flyer is an efficient way of communicating with the public and is commonly used by other events. Many of the complainants would not see the notice boards and not all belong to the Residents Associations. There are many properties in close proximity to the grounds of Charterhouse and will be affected by the granting of this license.

Prevention of public nuisance can apply to this because if the nearby residents are forewarned of the events, they are much more able to make alternative arrangements for the evening and/or accept the noise as a short term inconvenience rather than the shock of very loud amplified music without warning on a warm summers evening. The sound levels at the event last year were extremely loud at the property visited by Environmental Health staff, even though the volume was within the guidelines.

Environmental Health would be willing to see this recommended condition waived if it were incorporated into the Noise Management Plan.

10. The times of the live music under Part E of the licence, Live Music – Standard days and timings, has been changed to an earlier time than applied for. The accepted times are:-

Fridays and Saturdays – 14.00 to 23:00,

Sundays – 14:00 to 22:30 .

Reason: Prevention of Public Nuisance.

Officer signature:

Date: 12th March 2009

Ms G De Gennaro  
Environmental Health Enforcement Officer  
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