

MEMORANDUM

To : **LICENSING OFFICER**

From : **Environmental Health**

Tel : **01432 261761** My Ref : **CHT/308116/**

Date : **04/08/2020** Your Ref :

LICENSING ACT 2003

APPLICATION FOR NEW OR VARIATION OF PREMISES LICENCE

Redbank Barn Events Redbank Barn, New Groves Lane, Hampton Bishop, Hereford, HR1 4LD

Having assessed the above application, I would like to make the following representation:

Environmental Health – Environmental Protection Service was consulted on the application in June 2020 through the licensing process for a premise licence in pursuant of the licensing objectives Prevention of Public Nuisance as laid out in the Licensing Act 2003.

The Redbank Barn Event application details it is 'A business that provides barn wedding and event facilities on a working farm overlooking the River Wye'. The application outline the operating hours for Sun-Thurs 10:00 till 00:00 and Fri-Sat 10:00 till 01:00, including live entertaining such as live bands and DJ.

Following a site visit and discussions with the applicant, concerns were raised over the premises structure, activities, and potential frequency of events and proposed hours of entertainment with regards to public noise nuisance considering the rural location and history of noise complaints regarding past events from this location. During these discussions some additional conditions were agreed, however the proposed entertainment hours and door control measures have not hence our objection to this application as it currently stands.

Further details and supporting evidence detailed below.

Supporting Evidence

Location: The premises is situated in the South of Hampton Bishop, North of Holme Lacy with the River Wye in between. Residential properties at River View Close, Holme Lacy are situated on a raised cliff, roughly 450m away from the premises, Figure 1, Figure 2 and Figure 3.



Figure 1 Large double door to the front of the building is directly facing the residential properties at Holme Lacy. Two smaller doors to the rear sides of the premises



Figure 2 Redbank Barn is situated at the South side of Hampton Bishop, North of Holme Lacy with the River Wye in between.

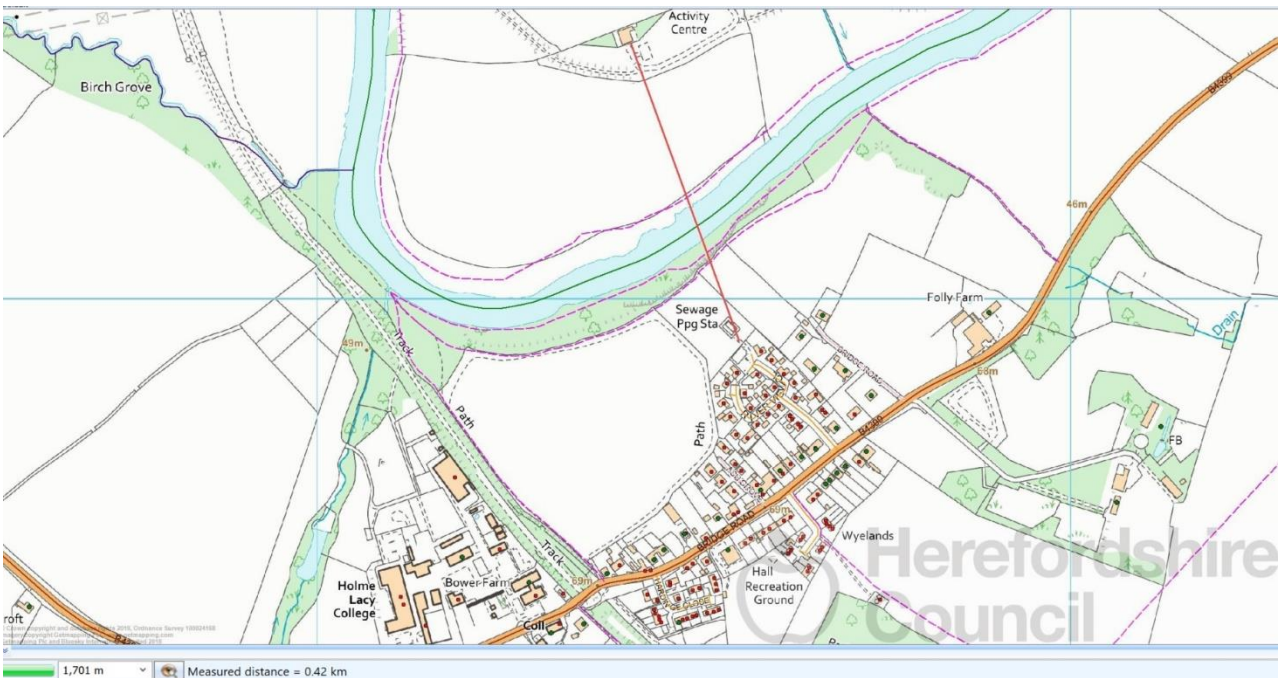


Figure 3 Redbank Barn is roughly 420m away from the residents in Holme Lacy the closest noise sensitive premises

Structure of Building: The premises is a metal sheet and steel frame agricultural style building with additional wood cladding on the front and rear gable ends Figure 4 . There are three door entrances, a large double door to the front Figure 5, and two side doors located to the rear Figure 6. The entertainments are proposed to be held inside the premises, with the entertainment area, live band, DJ and loud speaker to be located at the far end of the building. A bar near the entrance Figure 8, with dining table across the middle and rear section of the building Figure 9.

The main entrance to the premises was detailed as the large double doors to the south side, which face in the direction of the properties at Holme Lacy. There are also two smaller side doors to the west and east side of the building allow access to the outside. There a gaps on the front door which would allow sound to leak from within the premises. The roof and walls of the premises are of a poor sound attenuation properties with the doors closed and further significant reduction with the doors open. Music events of this nature usually operate between 80 -95dB in the entertainment area and crown noise can further increase these noise levels (especially in wedding events). Due to the rural location of this venue the back-ground levels will be very low (below 30dB) and the noise will carry over large distances due to few structures in its pathway to absorb the sound.



Figure 4 Front of the barn view from the outside, with large double door in the middle and toilets to the right.



Figure 5 Large front wooden door with gaps that could lead to sound leakage



Figure 6 Left rear side door



Figure 7 Barn structure interior, metal sheet cladding material laying on top of a wooden frame. Sitting area at the front of the building, next to the dance floor.



Figure 8 Bar near the front entrance, next to the dance floor area

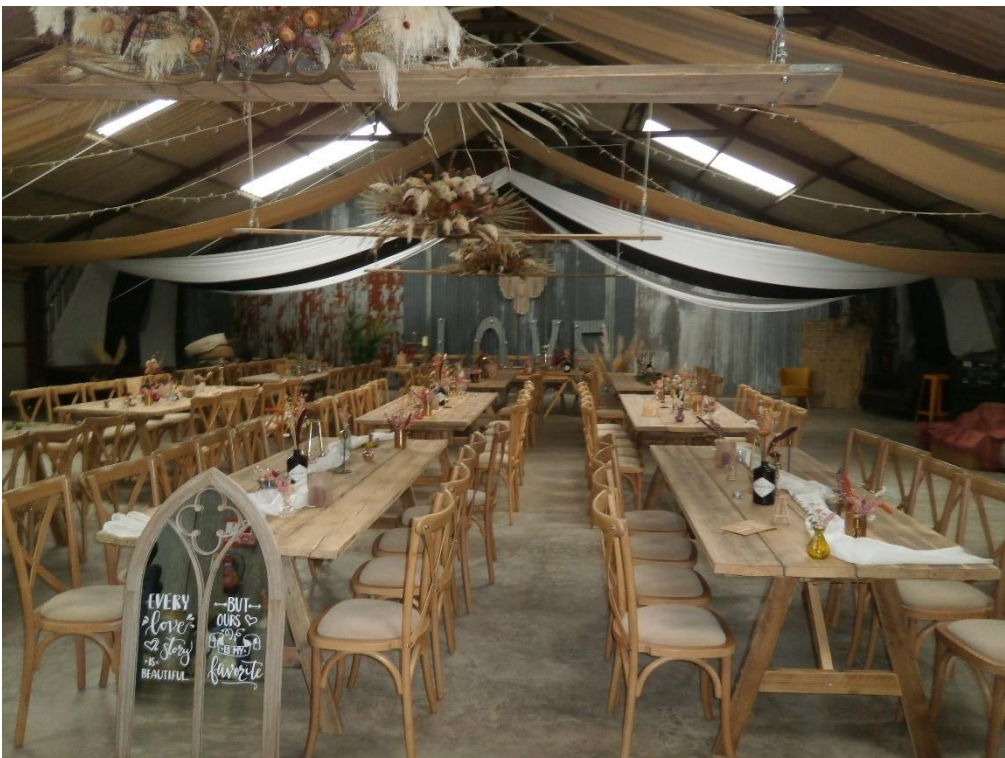


Figure 9 Dining table across the middle and rear of the building- entertainments to be set up at the rear of the premises facing on to the tables and double door.

Sequence of events

date	notes
June 2020	Application received, 28 days consultation period begin. Reviewed application, previous noise complaint from the area, and thus concerned with potential noise creating public nuisance.
3 rd July	<p>Site visit with Paul Neades (Licensing Guys) and Alison Roger (Business Owner). Discussed the noise issues, structure of the building and operating hours. Advised the applicant to review the proposed conditions in addition to the single condition laid out before, including reduced operating hours and other noise nuisance mitigation measures.</p> <p>Enquired with the Planning Department with regard to the structure of the building and the need for a planning permission for such venue.</p>
10 th July	Email from Paul Neades with revised proposed conditions, including a Noise Management Plan and reduced live entertainment hours Fri/Sat till 12am, Sun/Thurs till 11pm as per previously discussed with Business Owner
16 th July	<p>Chaser email to Planning department with regard to the planning permission for the venue.</p> <p>Email to Paul Neades with revised proposed conditions, including a reduced live entertainment hours Fri/Sat till 11:30pm and Sun/Thurs till 11pm</p>
28 th July	<p>Email from Nick Semper (Licensing Guys), ask to reconsider the condition EP proposed previously, direct quote from email:</p> <p>All the provisions and proposals submitted by EHO in the latest email are acceptable with two exceptions and the following amendments are requested:</p> <p>(1) Ingress (as well as egress) be given through the double doors as this is the main disabled access for the Premises and is needed for access to the toilet. The side door leading to the toilets have steps.</p> <p>(2) the original application times for the playing of live music be allowed to continue to 1pm, save for wedding events where it will be restricted to midnight</p> <p>Additional Request for Information: Please may we have copies of all noise complaints held by the Council regarding our premises specifically? I'm sure you will have no problems providing this information as it forms the basis of your objection. In any event, we require that you treat this as a Freedom of Information request in the event that you cannot comply with disclosure in good time before the Hearing</p>

Previous Complaints	
SRU 235435	July 2017, Tipi Adventures Ltd (Previous complaint for that location) Complaint date: 10/07/2017 Noise complaint from residents at Holme Lacy reporting loud music from Pond Barn area, from 9pm till 4:30am over the weekend. Called police but they didn't attend the site.
SRU 235551	July 2017, Tipi Adventures Ltd (Previous complaint for that location) Complaint date: 10/07//2017 Noise complaint from residents at Holme Lacy reporting loud music going on till 03:30am. Noise came from a barn at the Tipi Adventure site.
SRU 287334	July 2019, Redbank Barn Event Complaint date: 27/07/2019 Noise complaint from residents at Holme Lacy for loud music and party noise from Redbank Barn. Noise had continued past 11pm. Out of hours noise team on 29/07/2019, 1am no noise Out of hours noise team on 30/07/2019, 1am no noise TENS SRU 286440, linked to TEN27072019, 17 th July 2019 application date, for event on 27 th July 2019, barn wedding. Wedding hours 14:00 – 00:00 with Live Band Music between 20:00 to 23:00.

7 TENS application in 2019, 1 complaint, with Live Band Music past 23:00.

TENS	Hours of operation
TEN07092019	Band from 19:00 – 00:00
TEN17082019	Band from 19:00 – 00:00
TEN03082019	Band from 20:00 – 23:00
TEN27072019	Band from 20:00 – 23:00
TEN13072019	Band from 20:00 – 23:00
TEN20072019	Band from 20:00 – 23:00
TEN01062019	Band from 20:00 – 23:00

Conclusion

The current proposed licensing conditions do not in our opinion ensure the premises meets the licensing objectives to prevent public nuisance. Our main concerns are being the poor structure of the building that provide poor sound attenuation quality, with extensive operating hours beyond sensitive hours (11pm – 7am) and frequent events up to 7 days a week. As such we proposed the committee to consider the following options for the licence conditions:

Grant of the licence with the following conditions

- 1. Noise and vibration shall not emanate from the premises so as to cause a nuisance.***
- 2. The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels / frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.***
- 3. There shall be a written agreed Noise Management Plan with Environmental Protection team no later than 60 days after the granting of licence. The premises licence holder must comply with the written agreed Noise Management Plan.***
- 4. All doors and windows at the premises shall be kept closed after 23:00 except during immediate access and egress.***
- 5. Loudspeakers shall not be located in the entrance lobby or external to any part of the premises.***
- 6. Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.***
- 7. Large double front door shall remain closed during the main event except for access and egress by disabled persons or in the event of an emergency***
- 8. No regulated entertainment should be permitted after 23:00 Sun-Thurs and 23:30 Fri-Sat with the current premises structure. We would accept a terminal hours of 12am, providing the applicant has carried out a noise impact assessment undertaken by a competent person, to the satisfaction of the Local Authority and any recommended works to a suitable sound attenuation standard.***

Environmental Health Officer

Date 03/08/2020

