

APPENDIX 3



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To: Licensing

YourRef: The Lockside

F.A.O: Sandra Bradbury, Licensing Officer

From: Environmental Health

Our Ref: as above

Direct Dial: (01538) 395400

Date: 4th April 2023

Application for Grant of a Premises Licence: The Lockside at Greenway Hall Golf Club, Stanley Road, Stockton Brook, Staffordshire

Advice: The Environmental Health Department wish to make a representation on the grounds the granting of this Premises Licence will cause a public nuisance, compromise residential amenity for neighbours in the vicinity of the clubhouse and lead to further significant complaint to the District Council. The premises is currently subject to a number of complaints relating to loud music from the marquee during the Christmas party season.

It would be worth advising the use of the marquee as an overflow drinking or social event area where amplified music is not a key requirement e.g funerals, golf presentations etc. does not cause concern from a noise perspective.

Comments:

1. The application proposes to extend the premises licence to a previously unlicensed outside area. This will mean under the deregulation of live music regulations, amplified music could be played in this area during the hours 9am to 11pm all year round with no noise controlling conditions and noise controlling condition would be likely unenforceable. The applicant has offered to only host live music under a TEN to address neighbour concerns. There would be no obligation on this or future operators to honour this undertaking if it is not conditioned.

2. As part of the application there is a proposal to use a marquee in this area. The marquee is currently made up of wood boarding to three sides, with one side plastic and the roof also plastic. There is negligible sound reduction provided by standard marquees and based on the structure of the current marquee on site there is no reason to consider this is any different. Amplified music and speech would be inadequately attenuated by the material currently in place at the marquee and breakout noise would be difficult to prevent. A marquee is not a suitable structure for regular events which require amplified music or sound, they are more suitable for one off events or short term use.

3. The applicant in a statement dated 31/3/23 stated – ***“the marquee would be used primarily for low key events such as funerals, corporate and charity events, Golf presentations, christenings and occasionally birthday parties and weddings. All of***

these events would have the same restrictions regarding Music being played and would finish at 23:00, the partners were in agreement that they would not consider any late night events which would cause problems and would actively discourage use of the Marquee for events which could be seen as problematic(18th and 21st birthday parties)”

The use of the marquee for events such as for funerals, golf club presentations and christenings etc. would not normally cause noise impacts to neighbours and could be considered low key. Any parties or weddings where amplified music or sound is required as a key part of the entertainment then this would have a significant impact to neighbours and in our opinion are not low key. Charity or community events tend not to cause significant complaint due to a normally positive public interest which mitigates the adverse effects of such events.

5. In submission the applicant states events would not operate after 23:00 but loud music and singing can cause disturbance during daytime and evening hours. As the number of events increase so does the risk of complaint. Residents should be able to open their windows for ventilation and enjoy their gardens without unreasonable disturbance. Amplified music, singing and announcement on a regular basis would alter the noise environment of the area and residential amenity. Although not strictly applicable to these events the Code Of Practice for Environmental Noise at Concerts does offer worthy guidance on event numbers, sound levels and control. Higher music noise levels (75db Laeq15mins) can be allowed for 1-3 events per year, but for 4-12 events per year those levels should be reduced (65db Laeq15mins). There is no allowance provided for more than 12 events indicating a maximum of 12 outside events per year under the guidance. Music noise after 23:00 should not exceed pre-existing background noise levels. This guidance although specifically for concerts does offer critical event numbers and music noise limits which should be a consideration for this venue.

6. The nearest residential buildings are approximately 50m from the marquee with the nearest gardens 35m away. These are short distances and when considering the fact that the marquee has negligible noise reduction specification and amplified music contains high levels of sound then any property in the vicinity will be significantly impacted especially in the Spring and Summer when bedroom windows are open for ventilation.

7. The current position for Environmental Health in regard to the club's events is to not object to TENs under certain criteria. These criteria are compliance with the informal noise control agreement and preventing complaint to the council after each event. The outside events involving music are in the main held in December when neighbours will most likely have windows closed. This agreement has been developed after complaints from 2013 to 2015 during which a marquee was used for weddings.

8. The noise control agreement had been explained to residents in 2015 which has to some extent addressed neighbour concerns and ensured events at the club could continue. This reduction in complaints has continued until this licence application has been submitted. The Environmental Health Department has now received 6 complaints of noise against the Lockside and the marquee between the dates 18th March and 3rd



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April 2023. Some residents have also retrospectively reported loud DJ announcements, amplified music noise and taxis sounding horns late at night during the Christmas parties. Residents have reported they have not previously complained to the Council as they have been reporting noise issues directly to the Lockside.

10. In summary this is a premise which has been historically subject to significant noise complaint, it is only through an informal agreement with the club and residents that outside events have continued without significant complaint up till now. This is the second licence variation in 3 years. Both which have involved the extension of the licensed area into outside areas. This intensification for use of the outside area has clearly caused concern to local residents and complaint to the Environmental Health Department. If a licence is granted and noisy events operated in this area and/or marquee then increased complaint is likely.

Regards

Environmental Health