

12 July 2018 at 10.30 am

Council Chamber, Argyle Road, Sevenoaks



Licensing Hearing

Supplementary Agenda 2

	Pages	Contact
3. Report to Licensing Sub-Committee following receipt of a representation in relation to an application for a Premise Licence from Phizzwizards Limited for a Time Limited Premises Licence under The Licensing Act 2003 - 18/01654/LAPRE. (Cowden and Hever)	(Pages 1 - 8)	

This page is intentionally left blank

From: Democratic Services
Subject: FW: FW: Neverworld - hearing today

From: chair@chiddingstone.org [<mailto:chair@chiddingstone.org>]
Sent: 12 July 2018 08:34
To: Parish.Council, Chiddingstone; Michael Moss
Subject: RE: FW: Neverworld - hearing today

Dear Michael,

Please forgive the last minute intervention but I would like to pick up the point about aircraft noise. Whilst aircraft have a 2 minute separation or 3nm physical separation at the busiest time there is only a about a 15 - 30 second separation of noise.

The busiest time for arriving aircraft into Gatwick tends to be as they come back on their third rotation between 11 and 0030.

From midnight the aircraft are pushed slightly further east than Wilderness due to the Secretary of States noise abatement protocol which means they have to be on the final approach by 10nm or 3000ft.

My basic point is that it will make noise monitoring very tricky. I think we are better off using a qualitative judgement alongside a quantitative one that we know will be flawed.

Best wishes

Richard Streatfeild
Chair
Chiddingstone Parish Council

-----Original Message-----

From: louise.clerk@chiddingstone.org
Sent: Thursday, 12 July, 2018 07:56
To: "Richard Streatfeild" <chair@chiddingstone.org>
Subject: FW: Neverworld - hearing today

Hi Richard

Neverworld licensing hearing today at 10.30. I'm going to observe.

See below - email from Lee's noise engineer to Nick Chapman who is SDC Env. Protection says:

Hi Nick,

My suggestion was intended to overcome your concerns about the effect of aircraft noise. You mentioned that it would be difficult to know the frequency of aircraft overflights, but that they could be as frequently as every 30 seconds at times. I doubt that, as separation is usually 2 minutes at Gatwick, but they could be more frequent if there is a hold point close to Wilderness Farm. If aircraft noise is dominant and frequent then it would clearly affect the L90 and we might have trouble measuring MNL.

In order to redact 1 minute readings in which aircraft noise features we obviously need to have collected sufficient data. I suggested 30 minute intervals as any more frequent calculations would be quite a burden. Obviously we have the 1 minute and 1 second data in real time and we have live audio from the meters, so we have the means to conduct independent real-time evaluation. Regarding compliance, the council would have to determine what metric should be used. As you are aware, the CoP recommends 15 minute LAeq but you could specify any period duration you wished providing that it was reasonable.

Agenda Item 3

I suggested 35dBLAeq(t) as a suitable level during low level music periods because, given other noise sources including overflights and the background murmur from the festival, it is hard to imagine being able to measure and manage accurately at a lower level than that. Further, even a moderate wind or light rain would invalidate very low level measurements.

Hope this helps,

Best,

Chris

camping or not	authority area	name of festival	location	customer age base if known	type of festival if known	capacity	maximum terminal hour for music	maximum terminal hour for alcohol
yes	Lewes, East Sussex	Love Supreme	Love Supreme Festival, Glynde Place, Glynde, East Sussex BN8 6SX	all ages / family	music	29,999	3am	3am
yes	Lewes, East Sussex	Bimble Bandada	Cricketing Bottom Field, South Farm, Rodmell, East Sussex BN7 3HD	all ages / family	music	not known	24 hr on licenece but negotiated through multi -agency meetings	24 hr on licenece but negotiated through multi -agency meetings
no	London Borough of Greenwich	various	various	family orientated	music. Arts etc	4,999	23:00	23:00
yes	Winchester City Council	Boomtown Festival	Matterley Bowl Alresford Road Winchester Hampshire		Music	65,000	04:00	24 hrs
yes		Wickham Folk Festival	Wickham Folk Festival Sites Blind Lane Wickham Hampshire	over 30s	music	7000	01:00	01:00
no		Graze festival	Humphries Farm Hazeley Road Twyford Winchester Hampshire SO21 1QA			5000	23:00	23:00
no	Darlington Borough Council	Boomerang	Market Square East Row DARLINGTON DL1 5PX				23:00	23:00
no info...		Skyline Festival	Durham Tees Valley Airport Middleton St George, DL2 1LU				23:00	23:00
no		Social Events	Social Events Worldwide Limited Market Square, Darlington. DL1 5PX				23:00	23:00
yes	Northwest Leistershire	Download	Donnington Park , Castle Donnington, Derbyshire, DE74 2RP	all ages	Music (rock / heavy Metal)	120,000	07:00 indoors / 04:00 outdoors	07:00 indoors . 04:00 outdoors
no	Tower Hamlets (London)	All Points East	Victoria Park			40,000	23:00	22:45
no		FieldDay	Victoria Park			40,000	23:00	22:45
no		Lovebox	Victoria Park			40,000	23:00	23:00
no	Waveney District Council	Harvest Moon Free Festival				4,999	21:00	20:00
?		Big Gig				4,000	midnight	midnight

No camping?	Basingstoke and Deane Borough Council	Heroes at Highclere (every two years)	Highclere Castle			Up to two large events - 10000 to 14000	midnight	midnight
No camping?		Highclere country show (annual)				Up to six large events up to 9000	midnight	midnight
?		Battle Froms (annual)					midnight	midnight
yes		CarFest South (annual)	Laverstoke Park Farm – permanent			39,999	01:00	00:30
no		Joon Festival (first year 2018, possibly annual)				4999	21:30	21:30
yes (yoga festival)		BeLoved Festival (annual)				14999	23:00	23:00
no		OctoberFest (annual)	Basingstoke Sports and Social Club			4999	midnight	01:00
yes	East Northamptonshire District Council	Illusive Festival	Deene Park Deene Northamptonshire NN17 3EW	young adults	music	4999	04:00	06:00
yes		Green Meadows Festival		all ages / family	music	4999	02:00	01:00
yes	Portsmouth	Victorious				79999	23:59	23:59
yes	Sevenoaks	Lovefit Festival	The Pinetum St Clere Estate Kemsing	over 18s		1,500	01:00	01:00
no		Edenbridge Uncorked	Gabriels Farm Marsh Green Road Marsh Green			1500	18:00	18:00
no	Tunbridge Wells	Forest Live	Bedgebury Pinetum Bedgebury Road Goudhurst			7000	23:00	23:00
offsite camping. Bar closes at 01.00 at one camping option. annula licence	Maidstone	Ramblin Man Fair	Mote Park Maidstone Willow Way Maidstone			14999	00:30	00:30
		Kent County Showground (permanent licence)	Detling Hill Detling			15000+	24 hrs	24 hrs
annual licence		Whitman Park	Waterside Gate St Peters Street Maidstone			4999	22:00	22:00
annual licence		Gloversbridge Farm	Gloversbridge Farm Grigg Lane Headcorn			4999	02:00	n/a

Conditions for Neverworld 2018

1. No Special effects, fireworks, strobes, lasers or pyrotechnic effects are to be used or take place within the licensed premises area without the written approval of the District Council which shall not be unreasonably withheld.
2. All lighting shall be designed to ensure it does not result in unreasonable light trespass/intrusion or glare at nearby residential properties.

3. NOISE

Live Music shall only take place during the following periods

Thursday- 10:00 to 23:00

Friday- 10:00 to 23:00

Saturday- 10:00 to 23:00

Playing of recorded music shall only take place during the following periods

Thursday- 10:00 to 24:00

Friday- 10:00 to 24:00

Saturday- 00:00 to 02:00

Saturday- 10:00 to 24:00

Sunday- 00:00 to 02:00

Playing of low level music may take place during the following periods

Friday- 00:00 to 02:00

Saturday- 02:00 to 06:00

Sunday- 02:00 to 06:00

Sunday- 10:00 to 18:00

The use of microphones by MC's and DJ's, is permitted only between the hours of 10:00 and 23:00 on any day. Microphones may be used for emergency announcement and spoken word including comedy, cabaret and poetry performance at any other time.

Low level music shall be defined as: recorded music played in association with the consumption of refreshment or other activity which may include dancing. The over-riding test shall be that, at any noise sensitive receptor, low level music shall not exceed the proscribed noise limit and shall not contain perceptible bass beats.

4. The following Music Noise Levels shall apply to the event.

Day	Time	LAeq (1 minute) measured at 1 meter from noise sensitive and/ or locations specified in condition 10 & 12	Noise levels in the 63Hz and 125Hz octave frequency bands (at noise sensitive premises more than 2km away from the Licenced Premises Only)
Thursday	10:00 to 23:00	60dBA	70
	23:00 to 24:00	45dBA	62dBLZeq(1,63Hz octave) and 59dBLZeq(1,125Hz octave)
Friday	00:00 to 02:00	35dBA	Low level music - No perceptible bass beats
	10:00 to 23:00	60dBA	70
	23:00 to 24:00	45dBA	62dBLZeq(1,63Hz octave) and 59dBLZeq(1,125Hz octave)
Saturday	00:00 to 02:00	45dBA	62dBLZeq(1,63Hz octave) and 59dBLZeq(1,125Hz octave)
	02:00 to 06:00	35dBA	Low level music - No perceptible bass beats
	10:00 to 23:00	60dBA	70
	23:00 to 24:00	45dBA	62dBLZeq(1,63Hz octave) and 59dBLZeq(1,125Hz octave)
Sunday	00:00 to 02:00	45dBA	62dBLZeq(1,63Hz octave) and 59dBLZeq(1,125Hz octave)
	02:00 to 06:00	35dBA	Low level music - No perceptible bass beats
	10:00 to 18:00	60dBA	70

5. Basis of measurement

1. Mindful of the difficulty in avoiding noise from aircraft, noise measurements will be recorded in period intervals of 1 minute. Aircraft noise will be redacted and at the end of each 30 minute period the arithmetic mean of the remaining measurements will be calculated. The result will be used as the guide for compliance with licence conditions.
5. At least two weeks prior to the event, the licensee shall provide the Environmental Protection Team with details of all sound equipment, staging and acoustic mitigation proposed to be in use during the event. Such details shall include acoustic calculations / mapping to predict the

cumulative MNL and demonstrate how the proposed systems will be sufficient to ensure that the offsite MNL shall not be exceeded.

6. At least two weeks prior to the event a methodology shall be agreed with the Environmental Health Team (confirmed in writing) by which sound propagation test(s) shall be undertaken. Such testing shall include all sound stages and shall take place prior to any regulated entertainment taking place.
7. The sound propagation testing will take place between 20:00 and 21:00 on Wednesday 1st August 2018.
8. The Environmental Health Team will be notified at least 2hrs in advance of testing taking place to allow for officers to be present during sound checks.
9. The licensee shall nominate, in writing, a sound engineer who throughout the course of the event shall be in control of the Music Noise Level (MNL). This sound engineer shall operate independently of any DJ, or artiste in all music areas within the licensed site.
10. The licensee's sound engineer shall take continuous noise measurement readings from a minimum of three locations agreed in advance of the event with the District Council's Environmental Protection Officer. The monitoring locations will be sited so as to be representative residential exposure to the MNL from the event at Truggers Lane, Rectory Lane and Markbeech. A fourth offsite monitor will be supplied for use if necessary.
11. Data from these monitoring locations shall be made available via remote reporting to the Environmental Protection Officer via a dedicated web-portal or similar throughout the course of the event.
12. The licensee's sound engineer shall take additional noise measurement readings as necessary to ensure compliance at noise sensitive properties.
13. At all times during the playing of regulated or unregulated entertainment (as per condition....), the licensee shall nominate in writing a minimum of 4 persons who shall assist the licensee's sound engineer with onsite management of the MNL. These nominated persons shall carry out any and all instructions given by the licensee's sound engineer or the District Council's Environmental Protection Officer to reduce or modify the MNL to ensure compliance with the relevant noise conditions.
14. The licensee shall maintain a complaint telephone line throughout the event. The licensee shall ensure that where a mobile telephone is to be used, that an appropriate network provider is selected to ensure good network service during the course of the event. This telephone number shall be provided to the Environmental Health Team at least two weeks in advance of the event.
15. During the event the licensee shall ensure that calls are answered and responded to within 15 minutes. A schedule of persons responsible for monitoring the complaint telephone will be supplied to the licensing authority.
16. Where anonymous complaints are received, the licensee shall make reasonable effort to investigate the details of the complaint and take action as appropriate. Public information will ask callers to provide a postcode in order to locate complaints, however they will not be required to supply names or telephone numbers.
17. All calls shall be logged. The Environmental Protection Team shall have online view of the event noise log at all times.

18. Where calls are received in respect of the MNL, the licensee shall visit the area in focus and undertake noise measurements to ascertain the validity of the complaint. Where MNLs are found to exceed those in condition 4. Immediate steps will be taken to reduce the MNL to the levels agreed.
19. At least 1 week prior to the event the licensee will send a letter to all residents within 1km of the event site. The wording of the letter shall be provided to the Environmental Protection Team and will as a minimum contain the following:
 1. Details of event timings
 2. Information on agreed noise levels
 3. Details of complaints procedure (including complaint telephone line)
 4. Steps that will be taken to rectify complaints.
21. No Helicopter landings or take offs, other than any required in response to an emergency, shall take place at the premises for the duration of the event.