

LICENSING ACT 2003 SUB COMMITTEE

Thursday, 29th September, 2022
1.00 pm





LICENSING ACT 2003 SUB COMMITTEE

COMMITTEE ROOMS 2 & 3

Thursday, 29th September, 2022 at 1.00
pm

AGENDA

4) *Conclusion of the hearing of an application for three Temporary Event Notices* 3 - 4

To resume the hearing of an application for three Temporary Event Notices in relation to Electric Circus, 51 Bank Parade, Burnley following the adjournment of the hearing which commenced on 15th September 2022.

MEMBERSHIP OF COMMITTEE

Councillor Charlie Briggs
Councillor Karen Ingham

Councillor Anne Kelly
Councillor Lorraine Mehanna

Dear XXXX

Thank you for sending me a copy of the noise impact assessment. My comments are as follows;

1. The first comment I would make is that despite the reports assessment criteria referring to the change of use condition of;

The premises must be sufficiently insulated against noise leakage to ensure that the noise level at the façade of the nearest noise sensitive dwelling does not exceed:

LAeq 50dB 16 hours façade level daytime (07.00 hours - 23.00 hours);

LAeq 45 dB 16 hours façade level night-time(23.00 hours – 07.00 hours);

45dB LAmax for individual noise events in bedrooms (23.00 hours – 07.00 hours)

and bass levels to be inaudible within the nearest noise sensitive dwellings.

The report does not describe what measures have been taken to 'sufficiently insulate against noise leakage' I assume this is because there hasn't been any additional insulation put into the building during conversion from an industrial unit.

The reports main recommendations therefore rely on the operator restricting the noise levels sufficiently from inside the venue to a level where transmission of noise to the nearest noise sensitive dwelling meet the recommended levels of;

LAeq 50dB 16 hours façade level daytime (07.00 hours - 23.00 hours);

LAeq 45 dB 16 hours façade level night-time(23.00 hours – 07.00 hours);

45dB LAmax for individual noise events in bedrooms (23.00 hours – 07.00 hours)

As outlined in the premises licence conditions

2. I understand for the time being you intend to use hand held sound level meters to monitor the noise levels rather than using noise limiters on the equipment. This method relies on someone who is competent to use and understand the hand held monitors periodically taking measurements inside the venue (approx. 5m from the stage) whilst the music is being played and checking levels in each octave band meet levels outlined in Table 2 and 3 of the report (including limitations on low frequency noise). You will also need to take corresponding periodic measurements outside the

venue at the façade of number 53 Bank Parade to ensure the predicted transmission levels are correct and levels meet the criteria outlined in the premises licence condition above.

3. The report mentions noise from patrons leaving the venue and ensuring as far as possible they leave quietly after 11pm. It does not mention use of any external areas. The premises licence condition states the outside terrace area of the premises shall only be available to patrons between the hours of 09.00 and 17.00. I am not sure what arrangements you have in place to allow people to go outside to smoke but this should be managed to ensure public nuisance isn't caused from people congregating outside.

In conclusion, the premises licence condition relating to noise (at point 1 above.) should be attached to the TEN's. If the measurements in the report are correct and the recommendations are followed, so that sound is strictly limited and monitored and the levels outlined in Tables 1 and 2 are adhered to inside the venue, then noise impact at the nearest noise sensitive dwelling should be sufficiently reduced to meet the condition.

Should you have any queries on my comments above please contact me.

Regards