



**TEST VALLEY**  
B O R O U G H C O U N C I L

To: Licensing Manager  
Administration

Date: 3 March 2006

From: Environmental Health

Ext: 7957

**LICENSING APPLICATION CONSULTATION**

PREMISES	The Red Lion Country Inn
LOCATION	Clanville
APPLICANT CONTACT DETAILS	Ewelme Almshouse Charity, 126 High Street, Oxford OX1 4DG
LICENSEE	Jennifer North

Response on application as submitted – The Environmental Health Pollution Team having considered the above licensing application on the Prevention of Public Nuisance have the following response:

**No Objection**

No comment

Objection

**X**

Subject to conditions

(Specify reasons for refusal)

**Conditions:**

The Red Lion is situated in a rural area, with the closest noise sensitive property being around only 30m from the premises. There is a complaint history associated with the holding of indoor music events. As the premises is looking to provide in addition to the existing level of regulated entertainment, late night outdoor music events, either in the open air or within a marquee there is a greater potential for Public Nuisance to be caused by the holding of regulated entertainment. Therefore, it is imperative that further noise control measures are imposed to protect nearby properties from regulated entertainment.

The grounds for objection are based on the lack of information contained in the application concerning the Prevention of Public Nuisance and for the request of the flexibility of regulated entertainment that appears to be proposed.

The maximum frequency of regulated entertainment is not clear for the number of indoor and number of outdoor events proposed. The use of a marquee or similar lightweight structure or even open air events for regular late night entertainment is discouraged, noise levels emanating from a marquee would be higher than those experienced from within a permanent solid building and would exceed existing background levels, as it would be the dominant noise source. The character of the regulated entertainment noise will include low frequency noise and it is this, the bass beat that can be more intrusive and more difficult to mitigate. Therefore feel it appropriate to restrict the number of events and to ensure that residents are not subjected to outdoor entertainment throughout the warmer months, when people are more likely to be sat out enjoying their gardens.

To reduce the impact of this I recommend, *“Live or recorded musical performances within tents and marquees or similar structures, including events to be held in the open air shall be restricted to no more than 12 per calendar year and no more than 3 times per calendar month.”*

Regulated entertainment that is proposed to take place after 2300 hours shall in accordance with the Licensing Policy C2 be inaudible inside noise-sensitive properties. In my view the practicalities of the applicant monitoring to ensure this is difficult, therefore if regulated entertainment is assessed immediately outside the nearest residential property and is audible it can be assumed that it is likely to be audible inside the property, especially if windows are open. To achieve compliance with the inaudibility criterion, regulated entertainment noise must be inaudible immediately outside the nearest noise sensitive property.

As a safeguard I recommend *“No amplified music or amplified speech shall be audible at the boundary of the nearest residential property between 2300 – 0800 hours”*.

If the additional conditions above are imposed I would not object to varying the wording of condition 4 on the existing licence to that proposed, along with the conditions 1 and 2 only.

To minimise public disturbance from regulated entertainment noise both during day and night time hours I recommend conditions 6 & 9 of the existing licence remain for the reasons stated above.

The issues raised are not unreasonable and therefore I would hope that the applicant would contact E&H pollution team to agree adequate controls before the necessary hearing.

Consultee Name: Stephanie Shepherd  
Environmental Health Officer