

Bielby, Angela (Democratic Services)

From: Golightly, Michael
Sent: 06 February 2020 09:09
To: EAP Licensing Unit
Subject: Premises license application for the York Festival, York Sport Club, Shipton Road, York, YO30 5RE

Dear Helen

In response to the premises license application for the York Festival at the York Sports Club on Shipton Road, York, YO30 5RE public protection wish to make representation in respect of public nuisance.

The premises

York Sports club is a premises located on Shipton Road in York and includes a clubhouse, sports facilities, and external sports fields. The clubhouse contains four functions rooms and a number of internal bars. In addition the premises has an external licensed seating area to the rear of the clubhouse. York Sport Club is surrounded by a large number of residential premises, with the nearest properties being located along Shipton Road, Galtres Grove and properties adjacent to the cricket ground. In addition there are a number of other noise sensitive receivers nearby located in the Clifton Park commercial estate, including a hotel.

Previous Site History:

Since 2017 Public protection have received 10 complaints from local residents about noise arising from events taking place at York Sport Club, with complaints being received from 9 different properties. These complaints have generally concerned noise from live music events where music has taken place in external areas to the Sports Club.

Prior to 2017 Public Protection received complaints from 6 properties regarding noise from York Sports Club, with officers from Public Protection witnessing noise from music inside a complainants property on one occasion which, had it continued, would have been classified as a statutory noise nuisance. On all the other occasions officers from Public Protection were not able to witness the alleged noise nuisances due to officers not being on duty at the time.

The planned event

The planned event is a three day music festival event which will include a number of high profile acts and bands which would be likely, given the close proximity of residential properties to the venue, to result in noise complaints and public nuisance. National guidance on noise levels associated with music events is

provided in The Noise Council Code of Practice on Environmental Noise Control at Concerts, with levels within the guidance being locally implemented by City of York Council in our guidance “Code of Practice and Guidance Notes on Noise Control for Concerts and Outdoor Events”.

Given the type of venue, a sports club and sports fields, it is considered that the venue would be classified as an urban and rural venue, rather than an urban stadium or arena, since the premises is located in a suburban area and there is no arena or stadium with its associated infrastructure of stands etc.

According to the Noise Council Code of Practice on Environmental Noise Control at Concerts guidance the proposed event and licence application would involve 1 to 3 days in a calendar year for an urban or rural venue, as a result it is considered that the appropriate guideline music noise level (MNL) for the site would be as follows:

The Music Noise Level (MNL), expressed as an LAeq, should not exceed 65dB(A) over a 15 minute period.

Public Protection have proposed to the applicant that the following condition be attached to any premises licence issued in order to prevent public nuisance.

Condition 1.

Prior to an event taking place a documented noise management plan shall be submitted to, and approved in writing by City of York Council. Once approved, it shall be implemented immediately. No event shall take place until the approval of the plan. The agreed Noise Management Plan must contain a requirement that the Music Noise Level expressed as an LAeq shall not exceed 65dB(A) over a 15 minute period as measured at the nearest noise sensitive premises.

Public Protection has tried to mediate with the applicant to agree this condition, however, we have been unable to do so.

Given the above Public Protection do have concerns about the licence application due to the potential for noise causing a public nuisance to residents in the surrounding area, unless it is effectively managed by those running any event.

Public Protection is therefore making representations on the grounds of public nuisance and would advise that the premises license is not granted unless the following condition is attached to the license in respect of controlling noise from live music events outside at the premises:

Condition 1.

Prior to an event taking place a documented noise management plan shall be submitted to, and approved in writing by City of York Council. Once approved, it shall be implemented immediately. No event shall take place until the approval of the plan. The agreed Noise Management Plan must contain a requirement that the Music Noise Level expressed as an LAeq shall not exceed 65dB(A) over a 15 minute period as measured at the nearest noise sensitive premises.

Should you have any further queries please contact me on 01904 551580.

Regards

Michael Golightly
Environmental Health Officer