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Sent:
To: [Gareth Liley](#); [Rachel Matthews](#)
Cc: _____
Subject: Otherplace - Noise conditions

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Dear Officers

Further to our discussions and the adjourned hearing in respect of the Other place I thought it would be helpful to try to set out some conditions that attend to the concerns previously articulated (and discussed) to help resolve the outstanding elements between us.

My understanding is that such entertainment as has been conducted across the Christmas and New Year period (indeed including the weeks before the last aborted hearing) has been conducted satisfactorily. We can provide a schedule of events and activities, timings and nature of activities if helpful. In simple form the front bar has continued to operate with entertainment each weekend (both Friday and Saturday), the back bar has not.

We don't believe there is any fair reason to prohibit entertainment (the much smaller room) in this front bar.

In so far as the back bar is concerned we recognise that needs to be restricted, proportionately. In its simplest form this is intended to allow the operators to have some entertainment, albeit not at either the volume of occasions per week/month/ year as currently permitted (predominantly under the de-regulation exemptions) and to address the sound levels produced and managed in respect of occasions when activities are conducted. We suggest one event occasion, per month, on either a Friday or a Saturday. Between 7-30 and 10-30pm only. Such events not to be on the same weekend. The only issue with that is the month of December. We would ask for two event days in December and those may be on consecutive weekends. I am not going to provide a lengthy explanation for that here, (but can do if required), I am hoping that December rather speaks for itself.

I have tried to keep the wording proposed in the application as much as possible, but obviously there are some changes from the conditions first proposed.

Breaking this down simply we say, I hope obviously, the following:

- Some entertainment is legitimate, albeit moderated by occasion and levels.
- Outdoor activity to be permitted, albeit limited and in line with the town's regular special occasion days.
- Dialogue with residents to be improved in both tone and frequency to allow for a transparent and improved relationship which has already begun: ahead of New Year's Eve, we prepared and distributed to all our neighbours a note which alerted them to the fact we would have entertainment until 12.30. We received no complaints that evening.
- Record keeping to attend to the transparency point above to be improved. Probably obviously if and/or when we undertake remedial works we would be inviting you back to the premises as I presume that the levels could and should be increased as certain works are undertaken. Probably obviously it seems to me very much to all our collective advantage to effectively incentivise us to undertake the works, so I am hoping that this is not contentious.

In passing we should add, the historic manager of the business has now left.

The Prevention of Public Nuisance

External

- There shall be no external amplified sound in the external areas of the premises, including the beer garden and car park, have for one event weekend per annum, anticipated to be the

Pontadawe festival weekend

- 28 days' notice of the event and activities will be provided to the Environmental Health team at Neath and Port Talbot Council
- 28 days' notice of the event and activities will be provided to the all residents within an agreed number of yards of the premise
- An agreed schedule of households within the vicinity of the site (to be agreed with the Local Authority) shall be provided to ensure all appropriate properties are identified and notified

We believe there are other weekend events (over and above the festival weekend) where pubs in the town do put on outdoor activities, we will revert on those once we have an established track record of compliance.

Internal

- There shall be no entertainment whether regulated or within the auspices of the Live Music Act de-regulation in the form of live or recorded music at the premises top bar until such time that the licence holder and/or owner of the premises commissions an independent acoustic consultant to undertake a Noise Impact Assessment and the recommended control measures contained within the assessment are implemented.
- A copy of the Noise Impact Assessment along with supporting evidence that the requirements have been complied with shall be provided to the Local Authority for written approval prior to the commencement of regulated entertainment.
- To comply with the above the following criteria must be met;
 - The report must be carried out by an acoustic consultant who shall be a member of the Association of Noise Consultants and a member of the Institute of Acoustics.
 - The methodology for the noise assessment shall accord with current UK guidance and British Standards and agreed with the Local Authority in advance of the assessment commencing.
 - Prior to implementation of the control measures the Local Authority shall be given the opportunity to review and comment on the Noise Impact Assessment and its recommendations.
 - The Premises Licence Holder or a nominated person shall carry out proactive noise observations outside the premises at least once an hour during the provision of regulated entertainment, and take any necessary remedial action.

All of which has been undertaken.

- Entertainment shall be permitted in line with the Noise impact assessment (thereby allowing for more entertainment as more works are undertaken to attenuate the building)
- A written record of proactive external noise assessments and, where applicable, remedial actions taken shall be kept for a minimum of 31 days from the date of the last entry in the record and this record shall be available for inspection on demand by authorised council officers at all times the premises are open.
- Once the Noise Impact Assessment has been submitted and approved by the Officers in The Environmental Health Team: Speakers shall not be located in the entrance and exit of the premises, or outside the building (save as permitted above).
- All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

Noise Management Plan

- A Noise Management Plan shall be submitted for examination and approval by the Officers of the Local Authority. Thereafter, the approved "Noise Management Plan" shall be observed and complied with in full. The "Noise Management Plan" shall include the following elements:
 - (i) Shall clearly define the measures to be taken to achieve (e.g. sound propagation, calculation, mapping or similar), and ensure compliance (e.g. monitoring)

- locations/observations) with the "Music Noise Level".
- (ii) Shall also provide details of how the premises licence holder propose to ensure that noise conditions across the site are complied with.
 - (iii) It is not expected that the ambient noise levels will alter year after year and so would only require that the applicant's Acoustic Consultant carry out a further ambient noise assessment in the event of a significant change to the local noise environment.
 - (iv) Shall clearly define the noise monitoring arrangements and locations to be monitored, to determine compliance with the licensing objectives.
 - (v) Shall consider other sensitive activities that may be affected by the event(s).
 - (vi) Shall clearly define the arrangements to secure compliance with the Licensing Objectives throughout the event and the organisational management to secure the same.
 - (vii) Where/if the music is perceived to have escaped inappropriately, details of corrective action shall be appropriately documented.
 - (viii) Shall clearly define the arrangements for receiving and responding to complaints from the community about noise and other issues associated with the build-up and clearance of the site infrastructure and the event itself.
 - (ix) All complaints shall be documented with the date and time of receipt, contact details for the complainant, details of the person receiving the complaint, details of the complaint, details of the investigation made and the date and time of any feedback given to the complainant.
 - (x) An agreed schedule of households within the vicinity of the site (to be agreed with the Local Authority) shall be provided with details of how to make a complaint about event related noise.
 - (xi) The Premises License Holder shall ensure that any Performer is informed of the noise conditions contained within the licence and that they will be required to comply with any instructions given to them by the Premises License Holder or the employed Acoustic Consultant.
 - (xii) Allow for authorised, named, Local Authority employees to access any area of the site where a main sound system may be operable, to conduct noise monitoring if it is deemed necessary and safe.

Residents

- An agreed schedule of households within the vicinity of the site (to be agreed with the Local Authority) shall be provided with a request to attend a resident meeting twice a year being made to each such household. (Suggest this via N&PT in the first instance(s))

Dispersal

- A dispersal policy shall be submitted by the Premises Licence Holder to and agreed by the Licensing Authority so as to manage departure of customers from the premises
- Such dispersal policy will specifically address entertainment events

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