



Consultation with Responsible Authority

Resp Auth: EP

1. Application for Premises Licence

Crimple Ltd, Leeds Road, Harrogate, HG3 1EW

2. Representation: Yes Date: 5th July 2023

3. Representation details

Licensing Objective Prevention of Public Nuisance

Reason for representation To prevent noise disturbance to occupiers of neighbouring dwellings

Conditions/Remedy

I understand this application is for the following: hours of opening to the public, the sale of alcohol (on and off the premises), recorded music (indoors and outdoors and live music (indoors and outdoors) Sunday to Thursday 08:00-23:30, and Friday & Saturday 08:00-02:00.

I note the applicant has stated they wish to allow live and recorded music outside. I have concerns regarding this proposal up to the times applied for as there are noise sensitive premises in proximity that could be disturbed by live and/or recorded music being played outside.

As such I would recommend the following conditions to prevent public nuisance:

1. Customers shall not use the external rear terrace of the premises for eating and/or drinking between the hours of 22:00-10:00 Monday to Sunday.
2. No speaker used to relay amplified music, singing and speech provided as part of regulated entertainment shall be positioned outside the building structure of the premises, nor shall any speaker be positioned internally such that the sound is directed through external doors, windows or other openings in the structure.
3. All external doors and windows to the room/s where regulated entertainment is being provided shall remain closed during the course of the entertainment, other than for normal access and egress.

4. All amplified music, singing and speech provided as part of the regulated entertainment shall only be played through the in-house sound amplification system.
5. Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment at the premises shall be inaudible at the nearest noise sensitive properties after 23:00hrs until closing.

Informative Note:

Licensees are advised to carry out a simple "sound check" outside the nearest noise sensitive property by listening to the music etc. coming from regulated entertainment. If the music etc. is clearly audible then it is likely that this condition is being breached. Steps should then be taken to reduce the volume of the noise.

In the case of complaint or dispute and for the purpose of providing an objective standard to assess whether this condition is being complied with or not, noise shall be considered not to be audible if:

- a. the measurement of sound when music etc. is on (expressed as LAeq, 1min) does not exceed the measurement of sound (expressed as LA90, 5min) when the music is off, and
- b. the measurement of sound in each 1/3rd octave band between 40Hz and 160Hz when music is on (expressed as L10, 1min) does not exceed the measurement of sound in the same 1/3rd octave bands between 40Hz and 160Hz when music is off (expressed as L90, 5 min)

All measurements to be taken within the habitable room normally occupied at the time in question, using a Type 1 integrating-averaging sound level meter compliant with BS EN 60804, with either windows open for normal ventilation or closed, whichever situation causes greater noise disturbance.

6. Prominent, clear notices shall be displayed at all exits requesting customers and staff to respect the needs of local residents and leave the premises and area quickly and quietly. This instruction should be reinforced by staff on site when required.

Contact details for Mediation

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Phone number: 01423 556526

Date sent to Licensing Authority: 5th July 2023

Signed:

