

APP 2

# Memo

To: Licensing Team  
3<sup>rd</sup> Floor  
Argus Chambers  
Bradford

## Department of Health and Wellbeing

Environmental Health  
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Our Ref: 437966

Date: 26 July 2017

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### Licensing Act 2003

#### Application for a Premises Licence

**Grass Roots Festival, Fell Edge Farm, Moorside Lane, Addingham Moorside**

This Service has reviewed the application and has a number of concerns. With regard to the following, Environmental Health at present recommends refusal of this application.

#### Public Safety

At present the private water supply serving Fell Edge Farm, Moorside Lane, Addingham Moorside has failed a number of microbial samples. These failures mean that the water does not meet a number of parameters as per the Private Water Supplies (England) Regulations 2016 and represents a potential danger to human health.

At present a notice has been served under the powers of Private Water Supplies (England) Regulations 2016 Regulation 18. This notice requires all water for consumption to be boiled or an alternative supply found. It also requires the person responsible to suitably treat the supply so as not to contain any micro-organisms or parasites that would constitute a potential danger to human health.

Until, this notice is complied with and the supply no longer represents a potential danger to human health Environmental Health recommends refusal of the application on the grounds of public safety.

#### Public Nuisance

Environmental Health has previously received complaints regarding noise from similar events in the locality and therefore has concerns regarding nuisance to other local residents.

The applicant has offered no evidence to show how noise, which will arise from the event will be controlled to prevent a public nuisance.

The Fell Edge Farm is in close proximity to other residential properties.

The application states the standard times are 21:00 hours to 03:00 hours from Friday to Sunday. Live and recorded music is stated as being provided from within these hours.

The applicant has not provided any information on how they will control noise so as to prevent a public nuisance.

If the applicant wishes this to pursue this application he should employ a suitably qualified noise consultant and submit to the Council a report to show how they will adequately control the noise from any outdoor concert and events on the land. The report should indicate with some clarity the number and type of event which it is expected will be occurring in each 12 month period as this will affect the level of noise which is permitted from the event.

The noise consultant's report shall include a survey to determine the background noise levels (*as defined by the Code of Practice on Environmental Noise Control at Concerts*) at locations around the venue representative of the noise sensitive premises likely to experience the largest increase in noise as a result of the concert/events. These locations should be agreed in advance with this service.

If the authority is minded to grant this application it is recommended that this is for **one event** and the following conditions should be imposed:

- *the Control limits set at the mixer position shall be adequate to ensure that the Music Noise Level (MNL) shall not at any noise sensitive premises exceed the background noise level by more than 15dB(A) over a 15 minute period throughout the duration of the event*
- *the background noise level should be measured at 1 metre from the façade of any noise sensitive premises for events held between 21:00 and 00:00 hours*
- *music from the event is only permitted between 21:00 hours to 00:00 hours.*

In line with similar events held previously in the locality, the following conditions should also be imposed:

- *audible entertainment to cease at midnight*
- *mail drop to local residents of planned events 2-3 weeks before festival*
- *repositioning of tents and directivity of speakers away from noise sensitive premises*
- *maximum level of 95 dBA set for inside each marquee / tent.*

The current application if granted is likely to result in complaints of noise being made to this Department. This Service is not satisfied that the noise can be adequately controlled and would therefore recommend refusal.

Regards