

Thomas Keating

From: Ian Winter
Sent: 06 July 2015 14:12
To: Thomas Keating
Subject: RE: Application for a New Premises Licence
Attachments: Hayne noise condition.doc

Hi Tom

Please find attached my representation for this application. Basically, I am recommending approval of the application with this noise condition being attached to the Premise Licence.

Many thanks

Ian

Ian Winter
Environmental Protection Officer
Environmental Health
Public Health Services
Mid Devon District Council
Phoenix House
Phoenix lane
Tiverton
Devon
EX16 6PP

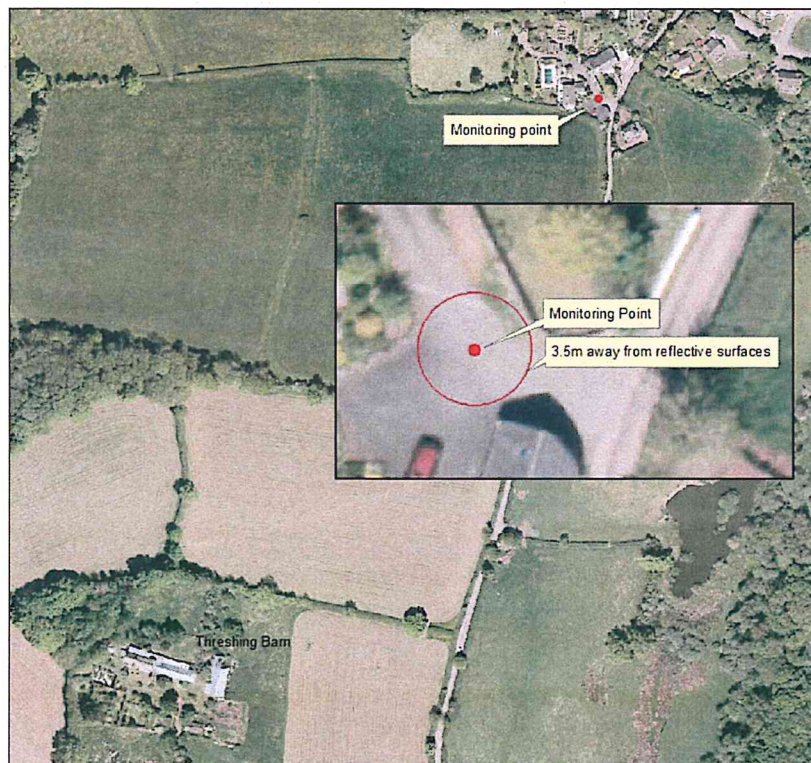
(01884) 244601/2/3

iwinter@middevon.gov.uk

Noise

The noise climate of the surrounding rural area must be protected.

During the performance of any regulated entertainment from the licensed premises the Aweighted equivalent continuous noise level (LAeq) emanating from the premises, as measured at the monitoring point (detailed on the plan below on the access road in front of Chynoweth) at a minimum distance of 3.5m from any reflective buildings over any 15 minute period after 09.00 until 23.00 and any 5 minute period after 23.00 until 09.00 with entertainment taking place, must not increase by more than +5 dB as compared to the same measure, from the same position and over a comparable period, with no entertainment taking place.



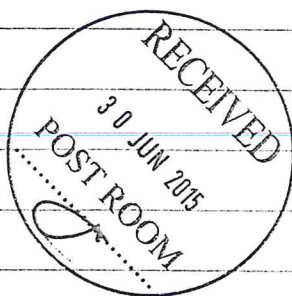
To clarify, a noise control consultant should be employed to carry out a survey to determine the typical background noise level. The background sound level, LA90, T is defined as the A-weighted sound pressure level that is exceeded by the residual sound at the assessment location for 90% of a given time interval, T , measured using time weighting F and quoted to the nearest whole number of decibels'

In determining the representative decibel level the following information must be taken into consideration:

- 1 The sound levels are typical and representative of the surrounding area
- 2 They cover the time period concerned
- 3 They have been reliably taken by a competent person.

It must be remembered that the objective is not to obtain the lowest measured sound level but the most typically representative sound level for the surrounding area at that given time.

Licensing Team
M.D.D.C.
Phoenix House,
Phoenix Lane,
Twerton Ex 16 6PP



3 Western Rd.,
Zeal Monachorum,
Geddon EX17 6DA

29/6/15

RE: HAYNE BARN - ZEAL MONACHORUM
OP 017579

Dear Sir/Madam

We wish to object to the above:-

1. Noise Musical Entertainment with the sale of Alcohol on and off the premises will disrupt our Evenings/Nights especially the Sleep pattern of young children

2. Access All the routes to the venue are mostly Single Track with few passing places. Totally inadequate.

3. Environment Adjacent to the venue: disturbing the Wild life including the Deer, also creating more litter with cans and Bottles. Besides that, it is supposed to be a Conservation area. We already have an adequate Social Venue there is no need for more

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NOTE: PAGE 2 JUST CONTAINS SIGNATURES.

Thomas Keating

From: Graham Gover <graham@grahamgover.co.uk>
Sent: 30 June 2015 10:38
To: Thomas Keating
Subject: Hayne Barn

REPRESENTATION DETAILS

Details of Representation Made:

Richard and Sue Carey of Chynoweth, Little Silver, Zeal Monachorum

Licensing Objectives Relating to Representation:

Prevention of public nuisance

Supporting Evidence:

The principle concern relates to noise nuisance arising from the use of the premises, including the land around the barn, for regulated entertainment with the consumption of alcohol as an additional licensable activity.

The application post-dates the amendments made to the Licensing Act 2003 by the Live Music Act 2012, and therefore the licence if granted in those terms could provide for gatherings of more than 500 people outdoors up to 2300. This is compounded by the failure of the applicant to offer any conditions to prevent noise disturbance to persons living within the vicinity of the premises, which includes my clients.

In the general description of the premises the applicant states that the new extension will restrict noise from travelling directly outside, whereas the extension itself, and the large extension to the south, will both be used for providing entertainment.

The application makes no reference to the ability of the structure to contain noise, and there are three double- and three single-door exits. The premises have no openable windows and will require ventilation. The only way to get fresh air into the building will be to open those doors, which will also cause noise escape.

The application lacks clarity. For example, it states that outside music amplification would be kept to a minimum without stating how this will be assessed and controlled, and no conditions are offered that can be checked for efficacy to that end. If the music is to be truly ambient there is no need for a premises licence!

Suggested Conditions:

It is not for the objectors to suggest conditions, which would be impossible in any event given the confusing nature of the application, and the lack of conditions or any decent sort of operating schedule.

The objections to the application must remain until the true nature of the operation of the premises is clearly and properly described, and an operating schedule is provided in which it is stated how the licensing objective of the prevention of public nuisance will be met.

Regards,

Graham Gover Solicitor LARTPI

10 Southernhay West Exeter EX1 1JG

TEL 01392 423090 | MOB 07799 067709 | WEB grahamgover.co.uk

Jan Hollingsworth
Wallens, Zeal Monachorum, Crediton, Devon EX17 6DF



Licensing Officer
Mid Devon District Council
Phoenix House
Phoenix Lane
Tiverton
EX16 6PP



22nd July 2015

Dear Sir

Licensing Application – Hayne Barn

I wish to complain in the strongest terms about the possibility that Hayne Barn may be licensed for such extensive indoor and outdoor functions.

Zeal Monachorum is a small village, we already have the Waie Inn in the centre of the village and any amount of further traffic would be totally inappropriate to the location.

The roads are very narrow, with few passing places, last November I believe there were between 1,200 and 1,500 people visiting the Waie Inn on Bonfire Night, the whole village was grid locked and residents could neither come into or leave the village, had the emergency services been required they would not have been able to gain access.

I understand the access restriction on Hayne Barn is for the traffic to only enter and leave by means of the centre of the village, imagine what volume that could be with the events they are proposing to hold.

It is an accident waiting to happen.

The possibility of outdoor music both recorded and live, dance, plays and films virtually every night of the week is going to create a massive noise nuisance. The sound will travel from Hayne Barn, which is only half a mile from the centre of the village, straight up the hill which acts like an amphitheatre and the extensive hours they want to be able to hold such events is not in keeping with the rural area.

We already suffer from people leaving the Waie Inn at inhospitable hours.

Furthermore, a licence for alcohol to be sold to be consumed on or off the premises is just going to increase the chances of drink driving – there is no public transport to or from Zeal Monachorum, save for one bus a week on a Friday morning.

It is about time this Village was treated as a village and not some money making venture for those who have little or no concern for the environment or other residents.

Please turn down their application as it is without question totally unacceptable.

Yours sincerely

Janet E Hollingsworth