

Memo



Date: 10th May 2017
To: Philip Bensted, Thanet District Council Licensing Department
Ref: WK/201716908
Re: Premises Licence Variation – Buildings and Transit area (LN-201600141) and Theme Park and Events Space (LN-201600183)

Environmental Protection has been asked to comment as a responsible authority on the above variations to premises licences.

Existing situation

Condition 21 of the Buildings and Transit area licence and Condition 21 and 22 of the Theme Park and Events space licence establish noise limits and controls associated with music based events. Those conditions being:

Buildings and Transit

Condition 21

- a) *Until 11pm the maximum noise level shall not exceed background noise level (L90A, 15min) by more than 5dB at one metre from the façade of any noise sensitive premises.*
- b) *11pm to 2am inaudibility.*
- c) *The background noise level (L90, 15min Linear for the one third octave band levels of 50 to 160 Hz and the overall linear noise level), as measured at one metre from the façade of any noise sensitive premises with amplified music and/or vocals switched off, shall not be increased when the music or vocals are played at the typically highest level and a measurement is repeated in L90 Linear at the same position over any five minute period, with the music, vocals and current background noise measured together.*

Theme Park and Events Space

Condition 21

Theme Park and VIP Area – the Maximum Noise Level shall not exceed background noise level (L90A, 15min) by more than 5dB at 1m from the façade of any noise sensitive premises.

Condition 22

Event Space – The Noise Management Plan dated 15th December 2014 supplied as part of the application must be implemented. This has regard to superseding noise limits stated below:

- a) *When music is ancillary to the event: the Maximum Noise Level shall not exceed background noise level (L90A, 15 min) by more than 5dB at 1m from the façade of any noise sensitive premises.*
- b) *When music is not ancillary to the event: No more than six concert days per calendar year shall be permitted. Should any three concert days not be used consecutively (that is one day after another) they shall not be sooner or later than fifty six days before or after any other concert day. And the music noise level shall not at any noise sensitive premises exceed 75dB(A) over fifteen minute period measured 1m from the façade.*

Proposed variation

The variation seeks to remove the existing conditions and replace them with a number of applicant proposed conditions. My initial response is that Environmental Health **OBJECTS** to the applications in their current form on the grounds of the 'Prevention of Public Nuisance'. Environmental Health is happy with the structure of the existing conditions and request in so far as noise limits that these are

retained. They are designed to prevent disturbance to local residences and to support the licensing objective 'The Prevention of Public Nuisance'. I have outlined our position below to the two variations.

It should be noted that during 2016 following a music event at Dreamland the local authority received multiple complaints from local residents. The complaints pointed to loud amplified music being played in the external theme park area. These complaints point to the opportunity for Dreamland to cause significant disturbance to surrounding properties during music events.

Theme Park and Event Space (LN-201600183)

Following a site consultation meeting with the licensee and the management of Dreamland Environmental Health would have no objection to the increase in large events as requested as part of the variation. We also have no issue with the requested reduction in days between events. Unfortunately Environmental Health cannot support an uncontrolled number of regular music events that may cause undue disturbance to surrounding premises.

The event space and theme park at Dreamland is an external space with residential premises at close quarters. The Noise Councils 'Code of Practice on Environmental Noise Control at Concerts' lists all venues as having 4-12 events per year. Given the descriptions I would put Dreamland in this category. It also gives a guidance noise level of 15 dB above background. The current conditions allow in excess of this. Environmental Health is not looking to relax the noise conditions for this area. I have taken the conditions in the variation and reworded them to a position where Environmental Health is satisfied that they will aid the operation of the licence.

Condition 21 and 22 shall be removed and replaced with:

1. Sound amplification systems shall not be used after the permitted hours for any purpose other than for public order or health and safety purposes.
2. The licensees within 28 days of the grant of any variation shall implement a helpline for customer comments and complaints. The helpline shall be available for contact by customers and residents throughout the operation of any event. The helpline shall be included on all advertisements on the Dreamland website for events involved with this licence where music is not ancillary. All contact with the helpline shall be logged with customer name, address, contact details, nature of complaint and complaint resolution description. It should be noted if the customer refuses to give any information. This complaint information shall be made available to the local licensing authority at their request within a period of 7 working days.
3. The licensees shall implement a general site Noise Management Plan (NMP) within 28 days of the grant of any variation. The NMP shall promote the licensing objectives and ensure the licensing conditions are adhered to. The NMP shall be reviewed if it is the opinion of the Licensee that sources or timings of disturbance have significantly changed. The NMP shall also be reviewed if more than 3 complaints (from different households) relating to noise, are received by either the local authority or the licensee, concerning an individual event.
4. During any event where music is not ancillary the licensee shall give unrestricted access to local authority officers to the site to conduct monitoring of noise levels.
5. There shall be no more than 12 music event days per year associated with this licence. An event shall be where the event is ticketed and music is not ancillary to the event. Where an event is in excess of 24 hours this shall be classed as 2 events.
 - a. Music at these events in relation to this licence shall terminate at 23:00pm.
 - b. For events that are considered large scale. Large scale shall be met where music is not ancillary to the event; they are ticketed and attended by more than 10,000 people.
 - i. These events shall be no more than 4 x 2 day events per year. This shall mean that if this is used to its maximum the licensee shall have used 8 of the 12 events listed in condition 5 above. Each series of events shall last no longer than 48 hours. There shall be 28 day between the end of one series of events and the beginning of another.
 - ii. At least 28 days prior to a planned event the licensee shall appoint a suitably qualified acoustic consultant. The duties of the acoustic consultant shall include (but not limited to):
 1. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and artist management prior to, during and after the event.

2. At least 14 days prior to the event produce a site and event specific Noise Management Plan (NMP) advising on noise mitigation techniques to minimise noise disturbance outside the venue, the likelihood of complaint, the risk of hearing damage to staff and patrons and noise sensitive premises.
 3. Conducting pre-event testing to ensure that noise levels outlined in this licence are achievable.
 4. Conducting noise monitoring during the event to ensure that noise levels outlined by condition in this licence are not breached.
- iii. The results of the monitoring of such events shall be made available through a report. The report shall refer to the findings of the NMP and highlight any breaches of the conditions and any mitigation taken at the time. Following a written request from the licensing authority to the licensee the report shall be sent to the local licencing authority within 14 days.
 - iv. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed 75dB(A) measured over a 15 minute period. This shall encompass a level of 70dB(A) measured over 15 minutes in either the 63hz or 125hz octave frequency bands.
- c. For events that are ticketed and where music is not ancillary to the event and attended by below 9999 people.
- i. There shall be no more than 4 of these events per year. Where large scale events (condition 5b) have not been used these can be used here to increase the maximum 4 to a maximum of 12 possible events.
 - ii. The Licensee or DPS shall appoint a competent person responsible for:
 1. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and Artist Management prior to, during and after the event.
 2. To conduct on site monitoring of any event to ensure that noise levels identified by condition in this licence are not breached.
 - iii. The results of the monitoring of such events shall be made available through a report. The report shall refer to the findings of the NMP and highlight any breaches of the conditions and any mitigation taken at the time. Following a written request from the licensing authority to the licensee the report shall be sent to the local licencing authority within 14 days.
 - iv. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 15dB.
- d. For general events where music is not ancillary but also are not ticketed.
- i. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 5dB.

Buildings and Transit Licence (LN-201600141)

For this variation Environmental Health objects to the application in its current form and should this progress to a hearing we request that the Licencing sub-committee retains condition 21 as it is currently worded.

If the Licensing sub-committee are minded to support our position on the current noise conditions but wish to review the other conditions offered as part of the variation I have listed our position below. Environmental Health have taken the other conditions offered and reworded them. It is my opinion that while they are not the exact wording of the original conditions offered they do follow the same direction and would support the operation of the premises licence and support the licencing objectives.

It should also be noted that the operation of this licence is enclosed within buildings. The buildings should offer both construction mitigation and the opportunity for further mitigation. Based on this we certainly could not accept the noise related conditions put forward by the applicant i.e. 65dB over 15 minutes and 10dB above background post 11pm.

If the Licencing sub-committee are happy to support our position on the current noise conditions then Condition 21 would be removed and replaced with:

1. Sound amplification systems shall not be used after the permitted hours for any purpose other than for public order or health and safety purposes.
2. The licensees within 28 days of the grant of any variation shall implement a helpline for customer comments and complaints. The helpline shall be available for contact by customers and residents throughout the operation of any event. The helpline shall be included on all advertisements on the Dreamland website for events involved with this licence where music is not ancillary. All contact with the helpline shall be logged with customer name, address, contact details, nature of complaint and complaint resolution description. It should be noted if the customer refuses to give any information. This complaint information shall be made available to the local licensing authority at their request within a period of 7 working days.
3. The licensees shall implement a general site Noise Management Plan (NMP) within 28 days of the grant of any variation. The NMP shall promote the licensing objectives and ensure the licensing conditions are adhered to. The NMP shall be reviewed if it is the opinion of the Licensee that sources or timings of disturbance have significantly changed. The NMP shall also be reviewed if more than 3 complaints (from different households) relating to noise, are received by either the local authority or the licensee, concerning an individual event.
4. During any event where music is not ancillary the licensee shall give unrestricted access to local authority officers to the site to conduct monitoring of noise levels.
5. For events that are considered large scale and where this licence is used in conjunction with LN/201600183. These conditions are applicable where music is not ancillary to the event; they are ticketed and attended by more than 10,000 people.
 - a. At least 28 days prior to a large scale event the licensee shall appoint a suitably qualified acoustic consultant. The duties of the acoustic consultant shall include (but not limited to):
 - i. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and Artist Management prior to, during and after the event.
 - ii. At least 14 days prior to the event produce a site and event specific Noise Management Plan (NMP) advising on noise mitigation techniques to minimise noise disturbance outside the venue, the likelihood of complaint, the risk of hearing damage to staff and patrons and the effect on noise sensitive premises.
 - iii. Conducting pre-event testing to ensure that noise levels outlined in this licence are achievable.
 - iv. Conducting noise monitoring during the event to ensure that noise levels outlined by condition in this licence are not breached.
 - b. The results of the monitoring of such events shall be made available through a report. The report shall refer to the findings of the NMP and highlight any breaches of the conditions and any mitigation taken at the time. Following a written request from the licensing authority to the licensee the report shall be sent to the local licencing authority within 14 days.
 - c. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 5dB.
 - d. Between the hours of 23:00pm and 09:00am the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade shall be inaudible.
 - i. Inaudibility shall be where the background noise level (L90 15 min Linear for the third octave band levels of 50 to 160HZ and the overall Linear noise level) as measured at one metre from the façade of any noise sensitive premises with amplified music and/ or vocals switched off, shall not be increased when the music or vocals are played at the typically highest level and a measurement is repeated in L90 Linear at the same position over any 5 minute period, with the music, vocals and current background noise measured together.

6. For events that are considered routine operation and which may be used in conjunction with licence LN-201600183. These conditions are applicable where music is not ancillary to the event; the events are ticketed and attended by up to 9999 people.
 - a. The Licensee or DPS shall appoint a competent person responsible for:
 - i. A Liaison between the responsible authority, Licensee, event promoter, technical contractors and Artist Management prior to, during and after the event.
 - ii. To conduct on site monitoring of any event to ensure that noise levels identified by condition in this licence are not breached.
 - b. Between the hours of 09:00am and 23:00pm the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade does not exceed the background level (L90A measured over a 15 minute period) by more than 5dB.
 - c. Between the hours of 23:00pm and 09:00am the Music Noise Level (MNL) assessed at the mixing desk of each stage or performance area shall be such that the MNL at surrounding residential receptor façade shall be inaudible.
 - i. Inaudibility shall be where the background noise level (L90 15 min Linear for the third octave band levels of 50 to 160HZ and the overall Linear noise level) as measured at one metre from the façade of any noise sensitive premises with amplified music and/ or vocals switched off, shall not be increased when the music or vocals are played at the typically highest level and a measurement is repeated in L90 Linear at the same position over any 5 minute period, with the music, vocals and current background noise measured together.

Additional Information

Dreamland is a Theme Park with residential premises at close quarters. The requirement by the licensee and the management of Dreamland to hold music events within the park space is recognised by Environmental Health. Unfortunately Environmental Health cannot support an unlimited number of regular music events that may cause undue disturbance to surrounding premises.

It should be noted that the applicants requested condition of 65dB over 15 minutes for unlimited music events is not something that Environmental Health would support. There is a significant potential for disturbance and the Council is obliged to take formal action on an operator where a Statutory Nuisance exists, that is, 'an unreasonable interference with the use and enjoyment of a neighbour's home'. WHO guidelines recommended that to prevent sleep disturbance bedrooms should not exceed 30dB at night (11pm to 7am) and 35dB at other times. The limits previously applied were already lenient and exceeded those recommended in relevant the Code of Practice.

In essence whilst we are happy to negotiate on wording of the above conditions it is extremely unlikely that we would move on the noise levels that are already on the current premises licence.

Kind regards,

Christopher Brown - **Environmental Protection Officer**
On behalf of **ENVIRONMENTAL HEALTH**

Memo



Date: 4th May 2017
To: Morgan Sproates, Environmental Protection Manager
Re: Premises Licence LN/201600183 Dreamland Margate
Application to vary conditions 21 and 22

Further to your request to review the details provided by Andrew Merrick's application on behalf of Dreamland to vary the existing licence conditions with regard to an environmental noise. I offer the following comments (please also find attached my previous comments on the original premises application for reference).

Existing noise conditions:

Conditions 21 and 22 currently establish noise limits and controls associated with external areas:

- Amusement Park Area

The Maximum Noise Level shall not exceed background noise level ($L_{90A,15min}$) by more than 5dB at 1m from the facade of any Noise Sensitive Premises.

- Main Event Area

When music is ancillary to the event:

The Maximum Noise Level shall not exceed background noise level ($L_{90A,15min}$) by more than 5dB at 1m from the facade of any Noise Sensitive Premises

When music is not ancillary to the event:

No more than 6 concert days per calendar year

The Music Noise Level shall not at any noise sensitive premises exceed 75dB(A) over 15 minute period measured 1m from the facade'.

- Licence only permits live music until 11pm

Proposed variation

The variation seeks to remove existing conditions and replace them with a number of applicant proposed conditions. Mr Brown has reviewed most of these and I have only considered the acoustic implications.

Large Scale Concerts: ref Section 2

The applicant is seeking to increase the number of main events from 6 to 8 per annum. Each event will not exceed 48 hrs so in affect are requesting 4, 2-day events. While this is an increase on the 6 previously agreed and in excess of the 3 recommended by Code of Practice it does restrict the events to fewer but on two consecutive days. This is a small

increase and is arguably as impactful as the 6 single events currently permitted. A separation period of 28 days is helpful. However, the applicant defines these as 'large scale events' >10,000 and therefore discounts all other music events <10,000. All music events in this area, regardless of size should be included and only where music is ancillary should the tighter restriction of 5dB above background apply.

Proposed Noise Criteria: ref 2.3

The applicant is proposing adhere to the existing noise limit but only to events in excess >10,000 when it should apply to all open air music events at the site.

A Music Noise Level (MNL) as defined in the Code of Practice on Environmental Noise Control at concerts should not exceed 65dB(A) measured over a 15 minute period at the façade of surrounding residential receptors. However, the higher threshold of 75dB was agreed during the premises application discussions. It appears that the applicant will continue to adhere to this overall limit.

The term specific noise is typically related to BS4142 'Method for rating industrial noise affecting mixed residential and commercial areas' and is not relevant here. Music Noise Level is preferred. The applicant adheres to the over-arching 75dB limit but seeks to propose 75dB L_{Zeq} 15 at a radius of 2km, this would be unenforceable and difficult to measure given the very low level bass beat noise. While the Z or linear weighting is welcome given A weighting under assessing the impact of low frequency noise, for enforceability we should continue to assess against a level of 70dB(A) measured over 15 minutes in either the 63hz or 125hz octave frequency bands at the nearest dwellings. It would not be possible to monitor at 2km given the numerous surrounding buildings acting as a barrier and would not reflect the impact to properties nearer to the venue.

In 2.3.3 the applicant seeks to apply a lower noise limit to activities after 11pm to 9am for large events to 10dB above background L₉₀. For sound to not increase background levels at all it would need to be 10dB below background. The proposal could lead to significant disturbance after 11pm and should not be permitted. Although could be a consideration after a large event until midnight.

Noise criteria a smaller events ref 3.2

The applicant is proposing potentially unlimited smaller <10,000 events with a receptor noise limit of 65dB LA_{eq} 15min until 11pm daily. This will have a significant detrimental impact on surrounding residential properties, it will interfere with sleep and likely amount to a Statutory Nuisance obliging the Council to serve a noise abatement notice on the operator. All music events involving amplification should be considered with the '8' events per annum and associated noise criteria.

The Noise Council Guidance on Environmental noise control at Concerts that for venues where there are 4 to 12 events per year the level is 15dB above background over 15 minutes. These are for all venues so could conceivably refer to Dreamland. An agreement could be reached on an increase to the current 5dB to 15dB for 4 further 'smaller music events'.

Scheduled Twilights events currently undertaken within the amusement park area are subject to a strict noise limiting condition not to exceed background noise level by more than 5dB at 1m from the facade of any residential premises. Should the operator want to exceed this limit it would need to be counted as a music event and restricted in terms of frequency of events, as referred to above.

Event Space 2 ref s.7

There would be no additional impact by incorporating this area providing noise conditions are applicable.

Additional points for consideration

The applicant has sought to increase the number of large events and have unlimited smaller events at 75dB LAeq 15min and 65 dBLAeq 15min respectively.

There is a significant potential for disturbance and the Council is obliged to take formal action on an operator where a Statutory Nuisance exists, that is, 'an unreasonable interference with the use and enjoyment of a neighbour's home'. WHO guidelines recommended that to prevent sleep disturbance bedrooms should not exceed 30dB at night (11pm to 7am) and 35dB at other times. The limits previously applied were already lenient and exceeded those recommended in relevant the CoP, which would categorise the site as 'an urban park not stadia or arena and also recommends that where there are other noise sources at the site, these should be taken into account when setting noise limits; needless to say an amusement park has many.

A review of events complaints made since Dreamland opened and compliance with existing conditions should also be considered before supporting or objecting to the variation.

Finally, consultation with the Planning Department is necessary given that the number of events could potentially exceed 28 days per annum and may require planning permission to operate an events space in addition to the permitted use as an amusement park.

Amanda Berry
Environmental Health Officer

Memo



Date: 15th January 2015
To: Philip Bensted, Licensing and Land Charges Manager.
Re: Premises Licence – Dreamland Margate

Environmental Health is formally objecting to the above application on the grounds of preventing public nuisance.

Background

It is not entirely clear from the application which activities are to be operated where and at what times. However to the best of my knowledge the applicant is seeking consent for the following activities, both in and outdoors:

Plays, films, boxing and sporting events all with associated amplified music 24hrs/7days

Dance 09:00 - 06:00 7 days

Outdoor (and Hall by the Sea) 23:00hrs weekdays and midnight weekends

Live 09:00 to 06:00 7 days

Outdoors (and Hall by the Sea) until 23:00hrs

Indoor other 09:00 – 06:00

Operating schedule states:

Outdoor (and Hall by the Sea) Mon to Sun until 23:00hrs

Indoors (other: Ball Room, Roller Disco) Sun to Thurs until 01:00hrs and Fri/Sat until 02:00hrs

Recorded music 24/7

Indoor (other: Ball Room and Roller Disco) 24/7

Outdoor (and Hall by the Sea) 23:00hrs weekdays and midnight weekends

Operating schedule states:

Outdoor (and Hall by the Sea) Sun to Thurs until 23:30hrs; Fri & Sat until 00:30hrs

Indoors (other: Ball Room and Roller Disco) 24/7

Other (music associated with each fairground ride operation) 09:00 – 06:00 when main attraction open to the public

Late Night refreshment 23:00 – 05:00

Alcohol 09:00 – 09:00

Grounds

1. The boundary of much of Dreamland is surrounded by housing. In recent years additional residential dwellings (Stratford House and Weymouth House) have been built which are very close to the proposed main stage and venue space (Appendix A). Houses in Eaton Road, Belgrave Rd and Marine Terrace all have a direct line of sight with the venue as do many of the properties in Grosvenor Place which are at a higher elevation. There is no mitigation i.e. barriers, structures between the venue and the properties and Hall by the Sea benefits from very little insulation. The hard standing will act as a noise reflecting surface i.e. minimal sound absorption over

distance. The site has a long history as an amusement park but not as an events venue.

2. The Noise Impact Assessment (NIA) and Noise Management Plan (NMP) have not been produced by noise consultants with adequate credentials i.e. post graduate diploma in Acoustics or higher. The reports have several inaccuracies and inconsistencies. The examples given as relevant experience with other large-scale events i.e. Bestival, AEG Live, run to the beat are not comparable to Dreamland, as those listed are either in large open spaces not surrounded by housing or are single annual events or within purpose built enclosed venues / arenas. The NIA uses BS4142 Method for Rating Industrial Noise. This standard explicitly says it should not be used to assess noise from music events.
3. The first floor Hall by the Sea is only 50m from Arlington House. The light weight building has little or no sound insulation (Appendix B). The hall can only ever support the proposed new double skin tin roof due to the structure's loading ability. There is no future capacity to insulate the roof and walls. Loud music will cause the tin roof to resonate effectively acting as a giant loud speaker.
4. The Roller Disco and Ball Room venues are more substantial buildings which could possibly support regular events. However, in the absence of an acoustic survey to determine the level of current sound insulation this is unknown and therefore a safeguarding condition would be necessary. Ventilation will also be necessary to prevent doors or windows being left open during summer months.
5. The Noise Code of Practice for concerts provides guidance on how such noise can be controlled. The code is designed to assist those planning an event; those responsible for licensing events and those responsible for enforcing nuisance provisions under the Environmental Protection Act. Dreamland would be classed as 'other urban venue' and as such the recommended Music Noise Level (MNL) is 65dB(A) Leq for 15min 1 to 3 events per calendar year. If >4-12 events are proposed the limit is more restrictive and the MNL should not exceed background noise by more than 15dB(A)15min at 1m from façade of any sensitive premises. The limits are in my opinion unachievable. Both from the main event space and from the Hall by the sea.
6. Noise predictions and assumptions made in the Noise Management Plan and the Noise Impact Assessment reports are in places questionable. The calculations are based on sound propagation laws. Recalculating these figures based on 100dB (which is the minimum level for audience enjoyment) over the distances to dwellings, there is no possibility of achieving the 65dB limit at all properties. NIA claims that 30-35dB reduction in noise level is possible with use of temporary structures and cardioid speaker system, this is effectively an 8 fold noise reduction to achieve the limit. It is not possible to accept such claims without supporting evidence i.e. details of other LA's where such techniques are already successfully employed at similar venues.
7. The noise associated with people attending the events cannot be mitigated e.g. applause and cheering. Being mindful that neighbours will be subject to noise associated from amusement park's daily activities i.e. noise from the operation of rides, ancillary music and then noise from large number of people visiting the park, it is essential that some peace is afforded to them in the evenings.
8. In section 6.9 of the NIA comments that the CoP on Concerts has been withdrawn is incorrect. It is under review. In the absence of updated guidance the CIEH still support use as a valid reference source.

9. There is a history of noise complaints at Dreamland. These were investigated and complaints upheld resulting in the service of a noise abatement notice on the previous operator.

Conclusion

Members will have to take account of how frequently the noise will be generated and how disturbing it will be, and balance the enjoyment of the participants against nuisance to other people. Environmental Health are seriously concerned that the proposal for late night events will severely impact on a large number of residential properties. Should a licence be granted, the very likely impact of noise on residents could cause a Statutory Nuisance and place the Council under a legal duty to serve a noise Abatement Notice which will seek to prohibit / restrict any further nuisance. This may affect the future viability of the site. It is our opinion that Dreamland is simply not suitable for such large scale 'open air' events.

If Members are of a mind to grant consent, the following conditions are recommended:

External Live and Recorded Events namely: Main Area and Hall by the Sea

- a) Limit the number of major external events for whole site:
1-3 per calendar year 'the Music Noise Level (MNL) shall not at any noise sensitive premises exceed 65dB(A) over a 15min period measured 1m from the façade'
Or >4-12 then 'the Music Noise Level (MNL) shall not at any noise sensitive premises exceed the background noise level by more than 15dB(A) over 15 minute period measured 1m from the facade'
- b) Apply suggested conditions proposed in the Noise Management Plan, namely: Section 3 - F, G, H & I (page 3 NMP)
- c) Music from the event is only permitted between 18:00 to 23:00hrs.

Indoor Venues namely: Roller Disco and Ball Room

- d) If ≤ 30 Events (combined):
- The CoP code recommends for indoor venues for up to 30 events per calendar year a MNL not exceeding the background noise level by more than 5dB(A) over 15min period and events finish no later than 11pm. (Please note that <28 events will not require planning permission)
 - If > 30 Events music should be inaudible within an noise sensitive premises
- e) Install an adequate ventilation system to supply sufficient fresh air for patrons in the warmest weather, thus ensuring that sound proofed doors and windows remain closed

Amanda Berry
Environmental Health Officer

