

	Normal Opening Hours	Sale of alcohol for consumption on the premises.	*Plays, Films (indoors only)	*Live Music, *Performance of Dance, Other Activities of a similar description to that of live music, recorded music or performance of dance (Indoors only)	*Recorded Music (Indoors only)
Sunday to Thursday	08:00 to 00:00	09:30 to 00:00	10:00 to 00:00	09:30 to 00:00	09:30 to 00:00
Friday and Saturday	08:00 to 01:00	09:30 to 01:00	10:00 to 01:00	09:30 to 01:00	09:30 to 01:00
	New Year's Eve and every Thursday in December from 08:00 to 01:00	New Year's Eve from end of permitted hours until 01:00 on New Year's Day			New Year's Eve from end of permitted hours until 01:00 on New Year's Day.

*NOTE: Between the hours of 08:00 and 23:00, when amplified **live music** is taking place to an audience of less than 500 people and the premises is licensed for the sale of alcohol for consumption on the premises; or when unamplified live music is taking place to any number of people on any premises, all licensing conditions applicable to the control of live music on this licence are deemed not to be in operation.

NOTE: Between the hours of 08:00 and 23:00, when **recorded music** is taking place to an audience of less than 500 people and the premises is licensed for the sale of alcohol for consumption on the premises, all licensing conditions applicable to the control of recorded music on this licence are deemed not to be in operation.

NOTE: Between the hours of 08:00 and 23:00, when **plays** are taking place to an audience of less than 500 people all licensing conditions applicable to the control of plays on this licence are deemed not to be in operation.

NOTE: Between the hours of 08:00 and 23:00, when **performance of dance** is taking place to an audience of less than 500 people all licensing conditions applicable to the performance of dance on this licence are deemed not to be in operation.

Licensing Act 2003 Representation Form



Section 1 - Application Details

I object to the following Application:

Applicant's name (if known):

Premises name and address:

The Old Shire Hall
Northgate Street
Warwick
CV34 4SP

Application for a

Premises Licence..... ☒

Club Premises Certificate..... ☐

Application to vary an existing

Premises Licence..... ☐

Club Premises Certificate..... ☐

Application Number

WDCPREM00863

Section 2 - Objector details

Individual Objectors Details:

If you are objecting as a representative go to the next section

Applicant Title ☒ Mr ☐ Mrs ☒ Miss ☐ Other _____

Surname _____

First name(s) _____

Address (incl postcode):

Old Square
Warwick

Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

☐ Please tick here if you do not wish your objection to be made public and complete the box below

One aspect of my objections is confidential and I have marked it as such below.

If you represent residents or businesses please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

Section - Objection Details	
<p>My objection is relevant to the following licensing objective:</p> <p><i>You can tick more than one box</i></p>	<p>X Prevention of crime and disorder</p> <p>X Prevention of public nuisance</p> <p>X Protection of children from harm</p> <p>X Public safety</p>

X	I object to the application being granted at all
	I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

I am the owner and occupant of 13 Old Square, a residential property which is the street running off the Market Square and at right angles to Northgate Street.

My primary objections to the application for the Old Shire Hall to become a licensed premises is on the basis of the prevention of crime and disorder and the prevention of public nuisance. More specifically:

- there has been no or no adequate notice given to residents who are going to be affected, should the licence be awarded. I have again looked for notices today of this application in the vicinity of Old Square and have found none.
- I understand also that any hearing as to objections is likely to be during August, a time at which concerned residents (at least those who heard through word of mouth of this application) may be on vacation. I will not be able to be present at any hearing after 6 August for that reason.
- The application is vague and broad in its ambit, and it is difficult to see how the Licensing Authority can properly consider the appropriateness or adequacy of any safeguards in view of such vagueness.
- In any event, the proposal to develop the Old Shire Hall as an licensed premises and entertainment centre is fundamentally flawed, in view of the location of the Hall in a quiet set of Grade II listed streets where families reside.
- My primary concern relations to the fact that, at events that the Council, or persons unknown will be holding, up to 500 people will be entering Market Square at any one time. Old Square is a quiet one way thoroughfare between Market Square and Church Street and Northgate. The back of our house also backs onto New Street car park.
- Irrespective of what conditions the County Council has put onto it as how it proposes to run what is a veritable plethora of different events, once people have left the Shire Hall, the Council will no longer be able to control their behaviour.
- See next page

Due to the number of changes of use that the Council has granted in this area in the past few years, the area around Old Shire Hall is now a residential area. As is the case with our home, the residents include children, and people including ourselves have bedrooms overlooking the street. Our home is Grade II listed and so double glazing to reduce the sounds of inebriated carousing pedestrians is not an option. This is a current ongoing issue with people coming from the Rose & Crown and the Zetland Arms, which are both 50 yards further from the Market Square. Such pedestrians also are wont to place empty beer glasses etc on the window sill of our house, ring the bell, knock on the door, unearth flowers from plant pots and through the earth around the street etc.

[Confidential - please delete in public version - *This is disturbing to the child who lives in this house as it is frightening to have the door knocked late at night.*] I envisage that this problem will be multiplied manyfold in the case of the specific events that the County Council now wishes to hold and at which alcohol will be served. This issue is particularly acute on a Friday and Saturday night, will be magnified considerably should the application be granted, disturbing our sleep and quiet enjoyment of our home and our family life.

Signed...

Date 27 July 2016.....

Licensing Act 2003 Representation Form		
Section 1 - Application Details		
I object to the following Application:		
Applicant's name (if known): Premises name and address: Old Shire Hall Northgate Street Warwick CV34 4SP		
Application for a	Premises Licence..... <input checked="" type="checkbox"/> x Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing	Premises Licence..... <input type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>	
Application Number	WDCPREM00863	

Section 2 - Objector details	
Individual Objectors Details:	
<i>If you are objecting as a representative go to the next section</i>	
Applicant Title	
Surname	
First name(s)	
Address (incl postcode):	
The Old Post Office Old Square Warwick	

Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

☐ Please tick here if you do not wish your objection to be made public and complete the box below

<p>This is because</p>

If you represent residents or businesses please complete the boxes below

Organisation name if applicable	
Please state nature of representation:	

Section - Objection Details	
<p>My objection is relevant to the following licensing objective:</p> <p><i>You can tick more than one box</i></p>	<p><input type="checkbox"/> Prevention of crime and disorder.</p> <p><input checked="" type="checkbox"/> Prevention of public nuisance.</p> <p><input type="checkbox"/> Protection of children from harm.</p> <p><input type="checkbox"/> Public safety</p>

<input checked="" type="checkbox"/>	I object to the application being granted at all
<input type="checkbox"/>	I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:

Prevention of Public Nuisance

Warwick is a small market town with a high number of residential properties in the town centre, many of these are in the immediate vicinity of Old Shire Hall; for example those on Northgate Street immediately opposite Old Shire Hall and those on Old Square which are at the rear of Old Shire Hall. The impact on these properties created by a) an alcohol license b) live music and c) events for up to 500 customers will be significant and detrimental to the quality of life for those residents who will be disrupted which events are being held (caused by noise coming from the venue, up until 1am) and also beyond 1am as noise created by customers leaving a venue does not immediately end when the venue closes – there is noise as people find their way homes, parked cars, taxi collections, etc. This will be compounded by the sale of alcohol which in itself creates greater noise disturbance (through intoxicated customers who will be loud as they leave the venue) and a greater risk of crime and disorder.

It is completely at odds that there is County Council encouragement to increase residential dwellings in the town centre (for example, by selling previously Council-owned properties to a residential developer) while seeking a license to hold large events within that immediate area where it is guaranteed that this will have an impact on local residents and cause noise disturbance and a greater risk of crime and disorder.

This will also be a particular issue for our property which overlooks the rear of Old Shire Hall – similar to those on Northgate Street, we are in such a proximity to the venue that we will experience the full amount of noise disturbance caused by the venue. Furthermore, we have a roof terrace which overlooks the garden at the back of Old Shire Hall and I understand that the license application mentions use of this space as a designated smoking area for customers. This will have a severe impact on the enjoyment of our outdoor space as we will be immediately next to the smoking area – which will create noise disturbance and also the smells and pollution from cigarette smoke. This will destroy the enjoyment of our outdoor space. The roof terrace is one of the key benefits of this property and the application will greatly reduce the attractiveness of the property and its property value.

Many thanks for your consideration of this objection.

Signed.....

...Date.....26th July 2016.....

Licensing Act 2003 Representation Form



Section 1 - Application Details

I object to the following Application:

Applicant's name (if known):
Warwickshire County Council

Premises name and address:
The Old Shire Hall, Northgate Street, Warwick, Warwickshire, CV34
4SP

Application for a

Premises Licence..... ☒

Club Premises Certificate..... ☐

Application to vary an existing

Premises Licence..... ☐

Club Premises Certificate..... ☐

Application Number

WDCPREM00863

Section 2 - Objector details

Individual Objectors Details:

If you are objecting as a representative go to the next section

Applicant Title Mr ☐ Mrs ☐ Miss ☐ Other _____

Surname

First name(s)

Address (incl postcode):

Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

☐

Please tick here if you do not wish your objection to be made public and complete the box below

This is because

If you represent residents or businesses please complete the boxes below

Organisation name if applicable

Ash Mill Northgate LLP

Please state nature of representation:

Submitted on behalf of the present and future residential owner(s)/occupiers of Northgate Street and and Northgate Place, The Butts.

Section - Objection Details

My objection is relevant to the following licensing objective:

You can tick more than one box

- ☐ Prevention of crime and disorder.
- ☒ Prevention of public nuisance.
- ☐ Protection of children from harm.
- ☒ Public safety



I object to the application being granted at all
I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:

You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents / further pages as necessary - Please number all extra pages

Introductory comment.

We are not anti-progress or development. This is evidenced by what we have/are seeking to achieve on the eastern side of Northgate Street in restoring the buildings to the use they were originally designed for. We welcome any initiative to bring into useful life publically owned assets which make an important contribution to the built environment and the town of Warwick.

However, we have strong reservations about the current proposal which are listed below:-

1. The key to the success of any re-use of the buildings is the management and type of operation. In the absence of this key information, and until the license holder is identified, the application should be at refused or, as a minimum, the decision deferred.
2. The application is for a very wide range of operations: the sale of alcohol, showing of plays, films, live music, recorded music and performance of dance. It also seeks for those activities scheduled to take place between 08.00 (the earliest) to 01.00 (the latest). This is an unacceptable breadth of operation and hours of operation which will have a detrimental impact on the quite enjoyment of residents in their homes. This may become less of a concern dependent upon point 1 above.
3. No detail (in the form of acoustic evidence) has been provided on how amplified noise will be managed and how the condition, to be agreed with the licensee, will be satisfied; "no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises".
4. The applicant has not provided acoustic evidence to support the assertion that sound levels generated from within the Grade 1 listed building will be successfully contained.
5. We do not consider the above condition can be satisfied given the onerous listing of Old Shire Hall and the listed building requirements. It is understood it was for this reason that Warwick Castle withdrew from pursuing the property as a corporate entertainment venue in the Spring 2013.
6. Furthermore, during the listed building planning negotiations with English Heritage regarding the fenestration to Northgate Street, it was clearly explained that due to the listed status of 2-22 Northgate Street (Grade II/II*) secondary glazing would not be permitted. It would be inconsistent for this principle not to apply to the Grade I listed Old Shire Hall.

7. Car parking and traffic management. The applicant has not provided evidence of where up to 500 people will park within the vicinity of the property. It is considered most probable that visitors will abuse the existing limited on street parking arrangements and become a public highways nuisance to existing and future residents.
8. There is concern that possible antisocial behaviour which may result in damage to property could occur to listed buildings both sides of Northgate Street.
9. Ventilation / air conditioning / means of escape. In order to attempt to satisfy the acoustic challenges of the Old Shire Hall becoming a nightclub, or suchlike establishment, the building would need to have suitable air conditioning/ventilation provision which would not be achievable onto Northgate Street without interfering with the acoustic integrity of the acoustic scheme.

Signe

Date.....26/7/16.....

Licensing Act 2003 Representation Form	
Section 1 - Application Details	
I object to the following Application:	
Applicant's name (if known): Warwickshire County Council Premises name and address: The Old Shire Hall, Northgate Street, Warwick, Warwickshire, CV34 4SP	
Application for a	Premises Licence..... <input checked="" type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>
Application to vary an existing	Premises Licence..... <input type="checkbox"/> Club Premises Certificate..... <input type="checkbox"/>
Application Number	WDCPREM00863

Section 2 - Objector details	
Individual Objectors Details: <i>If you are objecting as a representative go to the next section</i>	
Applicant Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other _____
Surname	
First name(s)	
Address (incl postcode): 	

Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

☐

Please tick here if you do not wish your objection to be made public and complete the box below

<p>This is because</p>

If you represent residents or businesses please complete the boxes below

<p>Organisation name if applicable</p>	
<p>Please state nature of representation:</p>	
<p>Submitted as the</p>	

Section - Objection Details

My objection is relevant to the following licensing objective:

You can tick more than one box

- ☐ Prevention of crime and disorder.
- ☒ Prevention of public nuisance.
- ☐ Protection of children from harm.
- ☒ Public safety

<input checked="" type="checkbox"/>
<input type="checkbox"/>

I object to the application being granted at all
I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)

Our objection is based on the following:

You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents / further pages as necessary - Please number all extra pages

Northgate, Warwick is a development that could be seen as a town changing scheme. It has transformed Northgate street and undoubtedly added huge value to the area. Prospective purchasers have included a number of MD's and CEO's of Multinationals. This type of purchaser and their family would support and benefit the local trade and community of Warwick. The developer has sought to raise a new standard within this historic market town, therefore we recognise that whilst the Old Shire Hall needs to be utilised, a different approach such as a hotel would be better in the long term for Northgate Street and the town. We believe the proposed use of the hall would negate the ethos and 'image' and ultimately take away from "...the most handsome Georgian street in the Midlands" Alec Clifton Taylor OBE, Six More English Towns.

1. Traffic/Parking

- Northgate Street is currently a largely quiet street. The proposed use would change the nature of it.

2. Noise

- Whilst there are proposed actions in place internally to soundproof and keep nuisance to a minimum, exiting the building with large numbers of people would cause disruption to nearby residents.

3. Adverse comments from Public

- Prospective purchasers maybe put off not knowing the proposed use of Old Shire Hall.

Signature.....

Date...26/7/16...

[redacted] Northgate Street
Warwick
[redacted]

26th July 2016

**Warwick District Council
Licensing Team
Health and Community Protection
Riverside House
Milverton Hill
Royal Leamington Spa
CV32 5HZ**

By Hand and email

Dear Sirs

Re: Application Number WDCPREM00863 – Old Shire Hall Warwick


Please find enclosed;

1. Completed representation form objecting to the licence signed and dated 26th July 2016.
2. Sustainable Acoustics report dated 26th July 2016 in support of our objections.

I would be obliged if you would acknowledge safe receipt.

Your faithfully

[redacted]
[redacted]
[redacted]

Licensing Act 2003 Representation Form			
Section 1 - Application Details			
I object to the following Application:			
Applicant's name (if known): Warwick County Council Premises name and address: The Old Shire Hall Northgate Street Warwick CV34 4SP			
Application for a		Premises Licence..... <input checked="" type="checkbox"/>	
		Club Premises Certificate..... <input type="checkbox"/>	
Application to vary an existing		Premises Licence..... <input type="checkbox"/>	
		Club Premises Certificate..... <input type="checkbox"/>	
Application Number		WDCPREM00863	
Section 2 - Objector details			
Individual Objectors Details: <i>If you are objecting as a representative go to the next section</i>			
Applicant Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Other _____		
Surname	<input type="text"/>		
First name(s)	<input type="text"/>		
Address (incl postcode): <input type="text"/> <input type="text"/> Northgate Street <input type="text"/> Warwick <input type="text"/>			

Please note that a full copy of your objection (including your name and address) is required to be sent to the applicant and will be a public document at any hearing of this matter.

If you do not wish your objection to be made public please complete the box below and give reasons. If you are not prepared to allow your objection to be made public then it may be ruled as unusable or as being less important than a public objection.

☐

Please tick here if you do not wish your objection to be made public and complete the box below

This is because

If you represent residents or businesses please complete the boxes below

Organisation name if applicable	
---------------------------------	--

Please state nature of representation:

Section - Objection Details	
-----------------------------	--

My objection is relevant to the following licensing objective:	
---	--

You can tick more than one box

- | | |
|--|---|
| | <ul style="list-style-type: none">x Prevention of crime and disorder.x Prevention of public nuisance.<input type="checkbox"/> Protection of children from harm.x Public safety |
|--|---|

x	
---	--

I object to the application being granted at all

	I object to the application being granted in it's current form (If you choose this option remember to tell us in the next section what changes you would like to see)
--	---

Our objection is based on the following:
--

You need to complete this box as fully as possible. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents / further pages as necessary - Please number all extra pages

This is a representation objecting to the application for a premises licence for the Old Shire Hall, Northgate Street, Warwick made by Warwickshire County Council.

The representation relates to the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance.

The representation is made on behalf of [redacted] and [redacted] the owners and occupants of [redacted] Northgate Street, a residential property directly opposite the Old Shire Hall.

The objections are based upon:

- (a) the unsuitability of the building to become licensed premises and the impossibility of attenuating the impacts of licensable activities effectively, due to the fabric of the building and its listed status;
- (b) the unsuitability of the locality to contain late night licensed premises;
- (c) the inadequacy of the application itself and the lack of experience and competence of the applicant to hold a premises licence;
- (d) the inevitable impacts of the licensable activities upon the objectors and other persons living and working in the vicinity of the proposed licensed premises;
- (e) conflict with the Licensing Authority's Statement of Licensing Policy, and conflict with the S182 Secretary of State's Guidance.

We are advised that the application has not been correctly advertised under the provisions of Regs 25 & 26 of the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 in that the Notices do not contain the notice under Reg 26(4)(f).

Further although the application refers, under the proposed conditions for public nuisance, to guests being '*directed through the main Shire Hall building to leave the main doors onto Market Square*', although there are residential premises nearby no notices were erected on that side of the building to alert possible objectors to the application which clearly could have a detrimental effect on those residents in that area.

In summary, the County Council owns these premises, which are Grade 1 listed, and the Council has sought an alternative use for them since the premises closed as a Crown Court in 2010.

The County Council also owned the properties on the opposite side of the road, which are Grade II listed and which were sold for residential use which has now been implemented.

The objectors are the first occupants of the eighteen townhouses created.

Please see continuation sheet.....

Objection continued.....

The proposed premises have been investigated by Merlin Entertainments, the highly experienced operators of, inter alia, Warwick Castle, and Alton Towers, who have publically declined to take on the Old Shire Hall because of their acknowledged inability to mitigate the use of the building to a level appropriate to its residential location. In the face of that situation, the County Council have announced their intention to let the property to another operator, as yet unidentified, to market the building as a late night music and entertainment venue.

The County Council are promoting an application which clearly does not originate with them; is clearly not capable of being operated by them, and for which they have no identified Designated Premises Supervisor.

This is a speculative application, which, if granted, would be placed into the hands of an unknown operator, who would be obliged to work with the proffered conditions which are entirely commercially unviable.

Those conditions would immediately have to be flouted or varied.

The Grade I restrictions of this building make it incapable of any effective sound attenuation, as indeed are the townhouses opposite, as all the buildings which are residential family houses, are restricted to single glazing and limited insulation because of listed building status. The main bedrooms of the building occupied by the Objectors are on the front of the building immediately opposite the proposed premises approximately 7 metres away.

The impacts of the proposed licensable activities upon persons living and working in the vicinity would be severe and incapable of mitigation.

Northgate Street is a narrow, one way street with parking either side. With volumes of persons attending the premises and no adequate parking facilities nearby there would inevitably be major traffic disruption to the locality together with accompanying noise. This would affect those living in it

The proposals for exit and smoking areas away from Northgate Street do not take into account the residential properties overlooking those areas.

The objectors have retained acoustic expert, Mr Peter Rogers of Sustainable Acoustics, to confirm the inevitable impacts and the inability of any licensee to mitigate those impacts from this building. The impacts will arise from the entertainments sought to be promoted at the premises, but also from the activity of the proposed patrons and visitors to the premises.

There are particular issues concerning the external activity of those patrons, at the entrances and exits, and smoking areas, and at the key time of dispersal from the premises, as well as persons queuing on entrance, at which time issues of crime and disorder, traffic noise and disruption on a quiet one way street, are also anticipated as a likely impact.

There are no conditions which can mitigate the likely effect of the impacts of the licensable activities and the licensing objectives will not be promoted, but will be breached.

The objectors therefore represent to the Licensing Authority that this application should be refused in its entirety. The objectors reserve the right to amplify this representation at a forthcoming hearing.

Signed.....
Date..... 26 July 2016 .

NOTES

- Please complete all information or your objection may not be considered.
- Try to be as specific as possible and give examples e.g. on 1 February I could hear loud music from the premises between 10pm and 1 am I am concerned that if the premises open until 2 am this will cause a nuisance to me and other residents of the street
- Groups may include a Residents Association, Parish or Town Council, District Council Ward Councillor (list residents who have approached you to represent them), trade association
- If you do make a representation you will be invited to attend a meeting of the Licensing Authority's Panel and any subsequent appeal proceeding. If you do not attend, the Panel will consider any representations that you have made and apply any weight to it they deem appropriate
- This form must be returned within 28 days from the day after the application was made. The exact date may be found on the council's website.
- The objection may only relate to one or more of the four licensing objectives.

Please return this form when completed to:

Warwick District Council
Licensing Team,
Health and Community Protection,
Riverside House,
Milverton Hill,
Royal Leamington Spa.
CV32 5HZ

licensing@warwickdc.gov.uk

Tel: 01926 456113
Fax: 01926 456121

This may form be posted or emailed to the Local Authority

THE OLD SHIRE HALL, WARWICK

Potential for Noise Impact on Residents

26 July 2016

16-0104-0 Initial Acoustic Review R01v1 PR

1 INTRODUCTION

Sustainable Acoustics have been appointed to investigate the potential noise intrusion for residents that live in a close proximity to The Old Shire Hall, Warwick, should it be used as a music venue.

These preliminary comments are made following an initial technical desktop review by Peter Rogers, whom is a Fellow of the Institute of Acoustics and a registered Expert Witness with 20 years' experience of noise from licensed premises. The opinions expressed are limited to the technical consideration of the potential issues arising from the close proximity of the premises to residential and the likely noise sources that would be introduced when operating as a late night venue.

These comments are ahead of a thorough noise impact assessment, where a noise ambient survey will be conducted over two weekends and the intervening week to establish the underlying background noise climate. A detailed assessment will be reported and made available as part of the submissions as supporting evidence.

2 THE VENUE

It is understood that the Old Shire Hall is the former Law Courts of Warwick and are currently empty. The Warwick County Council own it, and wish to seek a tenant. Warwick County Council have also applied permission for them to use it as a premises for late night entertainment venue. The Premises Licence applies for Live music until midnight Sunday to Thursday and 01:00 on a Friday and Saturday. For audiences of up to 500 people. The premises has applied to serve alcohol over this period.

The building is Grade 1 listed and it is understood that the glazing is single and can not be enhanced.

3 THE RESIDENTIAL

Their properties are directly opposite (approximately 7m) the premises and are themselves Grade 2 listed.



View from no.10 bedroom window



Northgate Street with premises on left, with flag



Part of the planning consent is the windows adjoining Northgate Street can only be single glazed. The bedrooms of the property of interest primarily occupy the side overlooking the Old Shire Hall.

4 NOISE SOURCES

The noise sources being introduced, by virtue of the change of use from a court room, would include:

- Amplified Recorded Music (Typically not less than 95dB(A) is required to make it commercially viable
- Amplified Live Music (typically 95dB(A) to 105 dB(A) to make it commercially viable
- People noise from within the venue from up to 500 people
- People noise from dispersal through the streets at night
- Vehicle noise from taxi's late into the night (including engines and horns) , and delivery vehicles
- Operational noise, such as bottling out

5 IMPACT ON EXISTING NOISE CLIMATE

Whilst measurements will be completed to objectively determine the typical noise levels it is likely, from my experience, that the main noise currently is from traffic activity, with will be likely to reduce significantly during the night time period, with long periods where there is no activity.

This would allow residential windows to be open with resident able to benefit from a relatively quiet street soundscape overnight. Typically I would expect the background levels to be of the order for L_{A90} 40dB when there is no passing traffic, rising to L_{Aeq} 55 dB at the façade when traffic passes. This would be likely to lead to noise levels of between 25 to 40 dB(A) (briefly) inside bedroom, which is in the realm of the desirable levels of 30dB over 8 hours, set by WHO guidelines for sleep and BS8233:2014 for new homes. This would suggest there is currently a good quality environment that would support sleep even with the windows open.

The impact of the venue being operated for Live or Recorded music to midnight or 1am, with little sound insulation enhancement options available to the glazing means that reduction in internal noise levels will be likely to be not more than 30dB, meaning that music levels on the street late into the night could be up to L_{Aeq} 65dB(A) for recorded music and potentially as high as 75dB(A) for recorded music. With open windows offering not more than a 15 dB reduction this would result in levels of between 50 to 60dB(A) inside bedrooms compared with the WHO and BS8233:2014 desirable levels. Even with the windows closed it would only likely reduce by a further 10dB, so still 40 to 50dB inside, some 20 to 30dB over the WHO target for sleep.

Although actual levels will be investigated this shows that for a consideration of music alone the impact on the existing conditions is likely to be significant.

Add to this the noise from 500 people inside and then dispersing through the streets after the consumption of alcohol, creating noise which is very difficult to control even with tight management plan, the likelihood is for an unacceptable level of impact from the combination of both on residents.



Add to that increased taxi activity in this area, dropping off and picking people up, with the potential for horns being sounded and engines making noise when there would have not been any the cumulative impacts reach a point where it is likely that a nuisance would be caused sufficiently widely affecting a number of people to contravene the licensing objectives or the more stringent consideration of planning which is the protection of residential quality of life.

Given the limitations imposed on the potential for mitigation to the glazing and other Grade 1 elements of the buildings it is unlikely that sufficient reductions in noise levels will be likely to be possible, even if limiters were used to reduce the music. As the levels that they would have to operate at would then not be viable commercially.

6 PROPOSED NOISE CONTROL MEASURES

In the licence application the following statements are made regarding the control of noise from the premises, with my reaction to each on below the claim:

- *Sound levels are one of our key concerns and measures will be taken to minimise disturbance.*

I agree with this statement, but suggest the following measures will not be sufficient to avoid causing a private and public nuisance.

- *Noise levels will be monitored on and off site to ensure compliance with Environmental Health Services recommendations. We will monitor each event as we are fully aware how weather conditions can change how noise travels.*

Weather conditions will make little to no difference to the noise levels at 7m distance, and it is not considered feasible to set recommendations that would adequately reduce noise levels at this distance.

- *Designated Premises Supervisor/Duty Manager shall ensure no nuisance is caused*

How will this be done if it is a nuisance? Would they be happy to stop the event, which could cause a H&S issue? The point is that if it is not possible to start the event without causing a nuisance then it should not be permitted.

- *For evening events, all windows and doors onto Northgate Street will be kept closed after 22:00 hours to negate any potential disturbance to local residents. For large events, security staff will manage guests leaving the complex.*

As the windows are only single glazed and will not be permitted to be improved this will make little difference, except perhaps to the clarity of peoples voices.

- *Large numbers of guests leaving after 22:00 hours will be directed through the main Shire Hall building via the main doors onto Market Square.*

This relies of management, and is not specific around defining "Large". Even a small number of people leaving via Northgate Street entrance would cause disturbance which is not likely to be currently there, so adding to the cumulative impact being experienced by residents.

- Live vocal or instrumental music may be used at weddings and birthday parties. There may also be chamber music or choral events held at the venue. It is expected that there will be a



requirement for some sound to be amplified, however, restrictions will be implemented that limit the type of music which is likely to cause noise disturbance for example rock bands that include drums and bass guitars from playing in the Main Hall. To minimise potential noise disturbance, a sound limiting device shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of Environmental Health. The level of the limiter shall not be altered without prior agreement with Environmental Health.

This is simply accepting that there will be a range of live music planned, with high dynamic range of a female vocal likely to be more disturbing and of higher level when amplified than normal pre-recorded music. Any noise limiting device would struggle to control this sufficiently, even if set to commercially unacceptable levels, as the unamplified noise level may exceed the amplified and cause clearly audible sound inside the residential 7m away, even with windows closed. The idea of using percussion is also stated clearly, which will not be limited by the amplified system unless electronic and will create high noise levels of those assumed. This only re-emphasises the fact that the controls via an acoustic limiter on the sound system is a flawed control measure in this case, for the reasons stated.

- Amplified sound will be required to finish no later than 01:00 hours, except for New Year's Eve.

This may mean that residents will not be able to sleep until well after this, when people have dispersed, perhaps by 2am.

- The Council will be pursuing additional acoustic measures in keeping with a Grade 1 listed building, to manage amplified noise. As soon as any solutions have been agreed and the appropriate planning consents have been obtained.

It is unlikely, in my experience, that even secondary glazing will be permitted, but in any event even it is can be there will also be ventilation weakness, doors and other routes through which sound can be transferred to the street which should have been properly and fully considered in an acoustic report that accompanied the application to show how this would be done. There is not such report, and in my experience this shows that there is no such confidence that the technical controls could be viable.

- Environmental Health Services will be contacted to reassess the acceptable noise levels.

This is of no use if the commercial levels would have to be so low as to be not viable. There needs to be a clear case made that it could be before this is considered.

- A designated smoking area will be provided in the gardens to the rear of the Old Shire Hall as marked on the plan and guests will be directed to this area. The events team will ensure no more than 10 people at a time congregate in the gardens/smoking area to the rear of Old Shire Hall after 22:00 to minimise any potential disturbance to local residents.

It is not clear why this would be workable for 500 people, and even 10 people could make considerable noise that could affect a quiet area.

- There is a possibility that for large ticketed events a queue may form on Northgate Street which shall be managed in such a way that prevents noisy or rowdy behaviour and therefore minimises disturbance or nuisance to neighbours.

No sensible suggestion for how 500 people who have consumed alcohol would be controlled to this extend has been made, and in my experience this would be not possible.



7 CONCLUSIONS

I am Peter Rogers of Sustainable Acoustics Limited, who have over 20 years' experience in noise control and the design and assessment of licensed premises. I am an independent consultant, and a Trustee of the Institute of Acoustics.

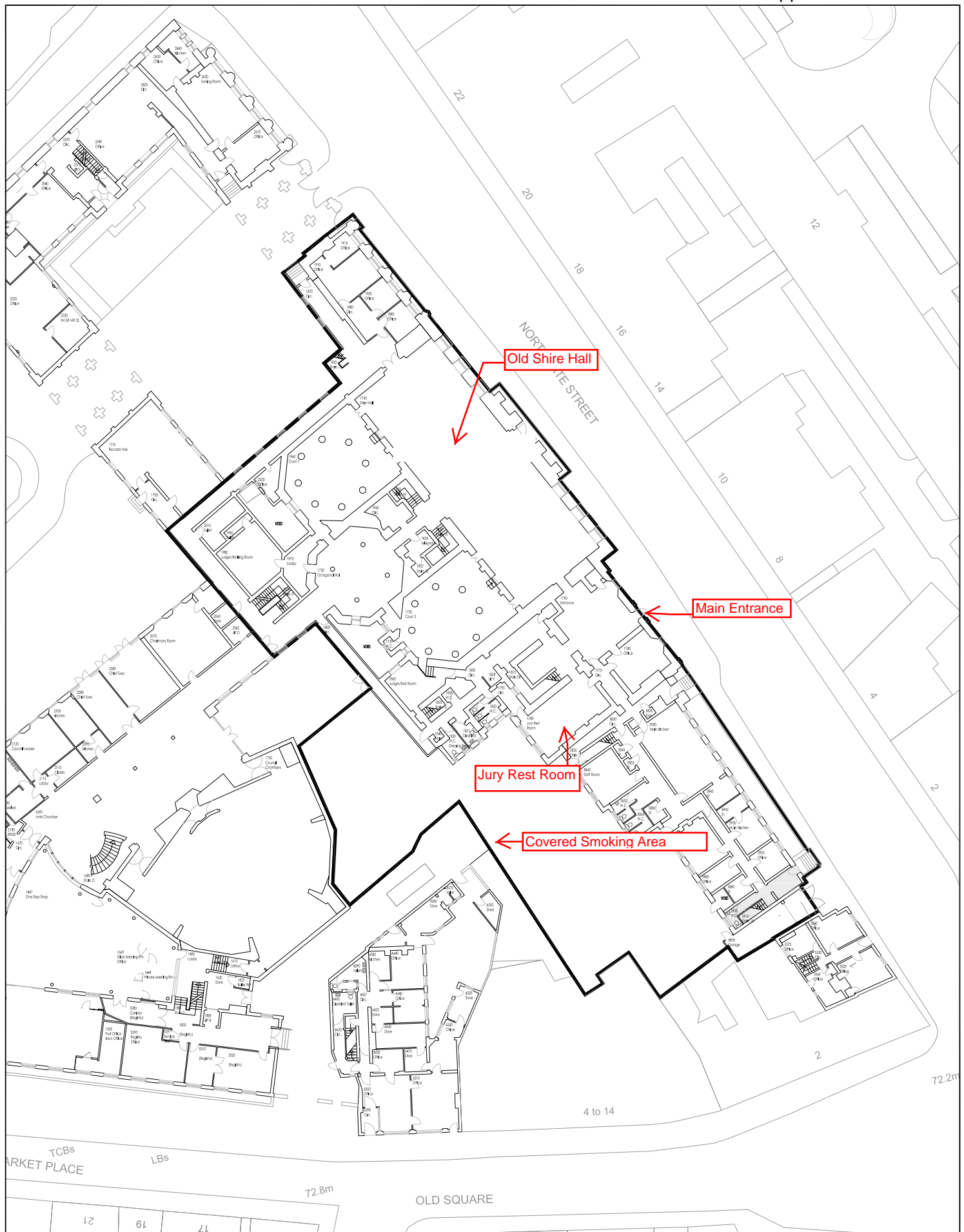
In my experience, and ahead of a more thorough study, for the reasons set out in this document I consider the proposed use as a live music venue for up to 500 people to be fundamentally likely to cause a Public Nuisance when considering the likely impact on existing resident's noise environment when they will be attempting the sleep.

It is my opinion that the limitations imposed on the noise control mitigation that would be possible on this Grade 1 listed building would not allow it to be improved sufficiently to avoid a private and public nuisance to be caused by the music, singing, drums (amplified or unamplified) and the noise created by people dispersing, using the garden area and the noise from the additional traffic (including taxi's in particular). The mitigation measures proposed by the applicant are flawed and unsound technically, for the reasons given, and the application should have been accompanied by an acoustic report which showed how it would be viable to treat the building within its constraints. This lack of supporting evidence is significant.

To permit this application would be likely to fundamentally change the character of this area, and cause residents to be unlikely to sleep, even with windows closed until around 2am.

This level of disturbance is likely to be completely unacceptable and likely to lead to the need for statutory action in anticipation of nuisance being caused, as it stands.

On technical grounds I would strongly recommend that this application is rejected, on grounds that any conditions would not adequately control the risk of cause significant noise impact and nuisance.



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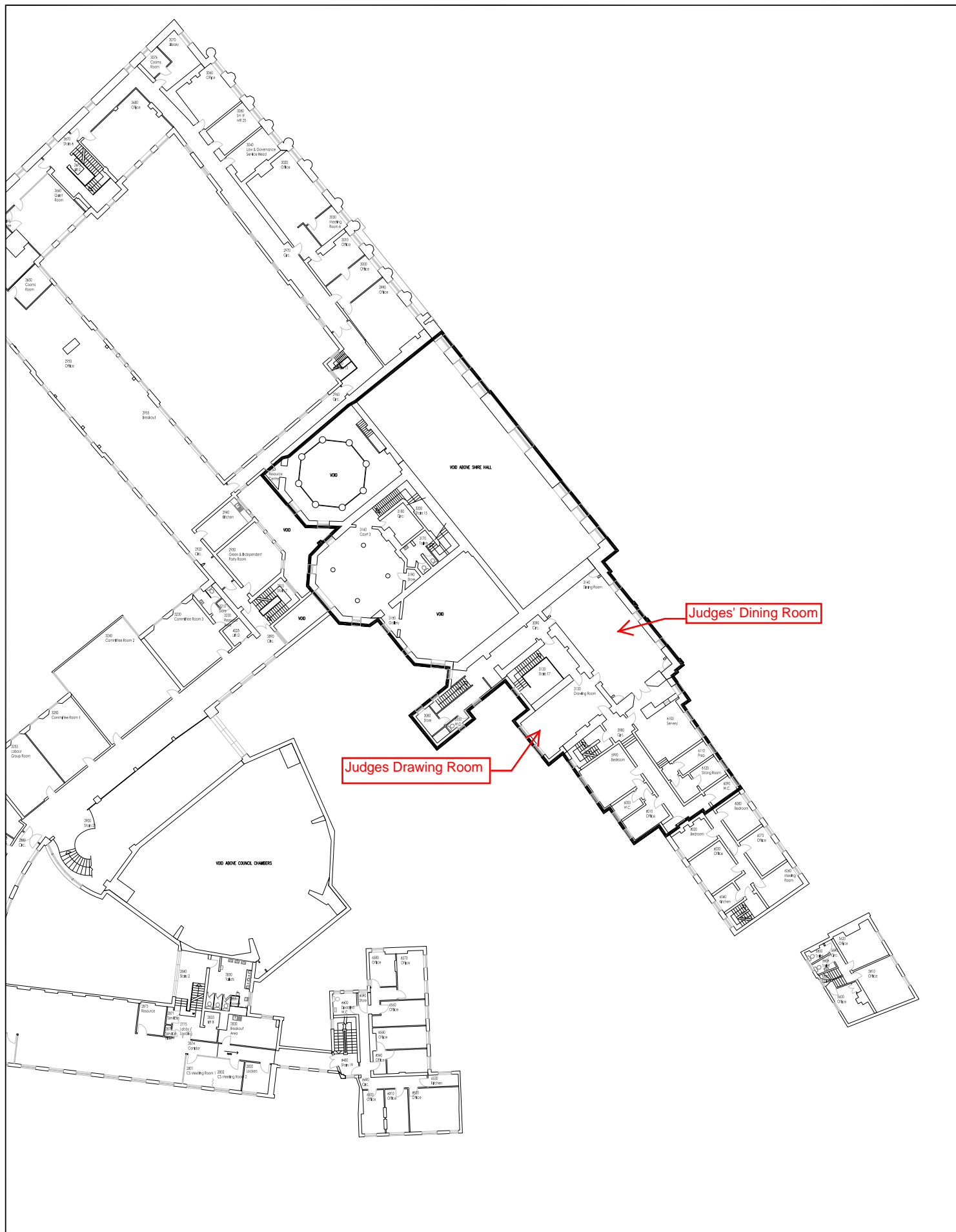
Drawing Title
Appendix B
Old Shire Hall
Ground Floor

	Initials	Date
Drawn by	GSEV	24.03.16
Checked by		
Scale	1:500 (A4)	
Drawing No.	Revision	



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2016

Drawing Title
Appendix B
Old Shire Hall
First Floor

	Initials	Date
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