

GUIDELINES FOR LICENSING REVIEW HEARING PANELS

The chairman will control the proceedings and the following is a guideline for each hearing but may be adjusted if appropriate.

1. The chairman explains the proposed format for the meeting and asks everyone to introduce themselves.
2. The Licensing Officer briefly outlines the review application.
3. The applicant (Responsible Authority and or Interested Party) who asked for the review speaks in support of their application and call any witnesses. Other parties who have made representations on the review to speak in support.
4. The Licence Holder asks the applicant, witnesses and other parties questions.
5. The panel asks the applicant, witnesses and other parties questions.
6. The licence holder responds to the review application.
7. The applicant and other parties (responsible authorities and interested parties) ask the Licence holder questions.
8. The panel asks questions.
9. All parties are asked if they wish to add anything further.
10. The chairman requests everyone to leave the room in order that the panel may reach a decision. The Legal Officer and Committee Co-Ordinator to the panel remain.
11. Everyone will be invited to return to receive the decision. In the event of complex or lengthy applications, the panel may decide to give its decision at a later date.

LICENSING HEARING PANEL

7 JANUARY 2010

LICENSING ACT 2003

APPLICATION FOR REVIEW OF A PREMISES LICENCE AMADEUS CHARIOT WAY MEDWAY VALLEY PARK

Report from: Deborah Upton. Assistant Director (Housing & Corporate Services)

Author: Alison Poulson. Business Development & Licensing Manager

Summary

Application for review received from Jill Hinde (Member of the public) in respect of Amadeus. The premises currently operate by way of a premises licence granted in accordance with the Licensing Act 2003, a copy of which is attached at Appendix A. A copy of a plan showing the location of the premises is at Appendix B. A copy of the review application is at Appendix C. Papers relating to noise report at Appendix D.

1. Budget and Policy Framework

- 1.1 Medway Council has published its Statement of Licensing Policy, which it takes into account in all applications relating to the Licensing Act 2003. Paragraph 5 specifically deals with the question of prevention of public nuisance, which is the objective raised in respect of this review application.

2. Background to the application & relevant representations

- 2.1 In accordance with Section 51 of the Licensing Act 2003, the Council has received an application from Jill Hinde, a person living in the vicinity of the premises, for a review of the existing premises licence in respect of Amadeus Chariot Way Medway Valley Park Cuxton Strood ME2 2SS.
- 2.2 A copy of the review application is at Appendix C and the Panel's attention is drawn to the grounds for the review, related to the licensing objectives of the Licensing Act 2003.
- 2.3 The application has been correctly advertised by way of the display of notices at and around the premises and on the Council's website for the required period, in accordance with regulations made under the Licensing Act 2003. Also, in accordance with the legislation, notice of

the application (and the application itself) was served on the licence holder and the other responsible authorities.

- 2.4 Before determining the review application, the Council as licensing authority must hold a hearing to consider it and any relevant representations received.
- 2.5 Following the advertising of the review application, relevant representations have been received from the premises licence holder by way of the results of an independent noise advisory service report, response to the report from environmental protection as detailed at appendix D.
- 2.6 No representations have been received from any of the responsible authorities or any other interested parties.

3. Advice and analysis on determination of review application

- 3.1 At the panel hearing, Members must, having regard to the review application and the relevant representations received, take any of the following steps considered necessary to promote the licensing objectives of the Act: -
 - (a) modify the conditions of the licence;
 - (b) exclude a licensable activity from the scope of the premises licence;
 - (c) remove the designated premises supervisor (where premises licence authorises sale of alcohol)
 - (d) suspend the licence for a period not exceeding three months;
 - (e) revoke the licence
- 3.2 "Modification" of the conditions of a licence includes adding new conditions as well as altering or omitting any existing conditions. Where conditions are modified, or where a licensable activity is excluded, the authority can, if it wishes, limit the changes to a period not exceeding three months.
- 3.3 Paragraph 11.16 of the revised guidance issued by the Home Office on 7 October 2010 under Section 182 of the Licensing Act 2003 states "The licensing authority may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the premises licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the holder of the licence. However, where responsible authorities like the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to concerns, licensing authorities should not merely repeat that approach".

4. Risk Management

- 4.1 It is essential that the Licensing Authority apply the licensing policy in accordance with the Licensing Act 2003 and regulations made there under.

5. Financial and legal implications

- 5.1 There are no direct financial implications for Medway Council concerning this matter at present. However, if an appeal were made to the courts in respect of the Council's decision, there would be costs associated with this process.
- 5.2 Section 4 of the Licensing Act 2003 provides that in carrying out its functions a licensing authority must 'have regard' to guidance issued under section 182.

6. Decision Required

- 6.1 The Committee is asked to consider and make a decision in accordance with the Licensing Act 2003 as set out in paragraphs 3.1 and 3.2 above in respect of the application by Jill Hinde for the review of the premises licence for Amadeus.

Lead officer contact Mrs Alison Poulson, Business Development and
Licensing Manager
Telephone: 01634 332774
Email: alison.poulson@medway.gov.uk

Background papers

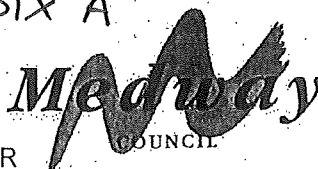
Medway Council's Licensing Policy – available to view on the council's website at www.medway.gov.uk.

Premises licence Medway-05-Prem-0106 (see Appendix A)

Review application (see Appendix C)

MEDWAY COUNCIL

Licensing Authority, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

**Premises Licence****Serving You**

Premises Licence Number

Medway-05-PREM-0106

Premises Details

Postal address of premises, or if none, ordnance survey map reference or description

**Amadeus
Chariot Way
Medway Valley Park
Cuxton
Strood
Kent ME2 2SS**

Telephone Number **01634 723370**

Where the licence is time limited the date

Not Applicable

Name, (registered) Address, Telephone Number and email (where relevant) of the holder of this premises licence, registered number or charity number (where applicable)

**Aaron P Stone (Strood) Ltd
5 Parrs Head Mews
Rochester
Kent ME1 1NP
Limited Company - 04598308**

Name, Address and Telephone Number of designated premises supervisor where the premises licence authorises the supply of alcohol:-

**Mr Derick Clements
18 Thorn Gardens
Ramsgate
Kent CT11 7AS
Council: Thanet / Number: 200900131**

Mandatory Conditions

1. **No supply of alcohol maybe made under this licence:-**

- a) **At a time when there is no designated premises supervisor in respect of it or**
- b) **At a time when the designated premises supervisor does not hold a personal licence or his/her personal licence is suspended.**

Every retail sale or supply of alcohol made under this licence must be made or authorised by a person who holds a personal licence.

- 2. (1) **The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.**
- (2) **In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale of supply of alcohol for consumption on the premises in a manner which carries a significant risk or leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children**

- (a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to
 - (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol) or
 - (ii) Drink as much alcohol as possible (whether within a time limit or otherwise)
 - (b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act)
 - (c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less
 - (d) Provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on
 - (i) The outcome of a race, competition or other event or process or
 - (ii) The likelihood of anything occurring or not occurring
 - (e) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favorable manner.
3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
 4. The responsible person shall ensure that free tap water is provided on request to customers where it reasonably available.
 5. Only individuals licensed by the Security Industry Authority (SIA) maybe used at the premises to guard against:-
 - a) Unauthorised access or occupation (e.g. through door supervision)
 - b) Outbreaks of disorder
 - c) Damage
 6. The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made by:-
 - a) The British Board of Film classification (BBFC), where the film has been classified by that Board or
 - b) The Licensing Authority where no classification certificate has been granted by the BBFC, or, where the Licensing Authority has notified the licence holder that section 20 (3) (b) applies to the film in question and the admission of children must be in accordance with any recommendation made by the Licensing Authority.

Embedded Conditions

7. The maximum number of persons admitted to the licensed premises shall not exceed 2270 persons.

Conditions consistent with the 'Operating Schedule'

8. Internal and external CCTV cameras installed and maintained with an incorporated recording facility. Recordings to be stored for an appropriate period of time (generally one month – but to be agreed with Police and Licensing Authority). The CCTV system to be fully operational throughout the hours that the premises are open for any licensable activity. Recordings to be made available to Police and Local Authority on request.
9. Incident book to be kept on the premises and available to Police and Licensing Authority.
10. Refusal book to be kept on the premises and available to Police and Licensing Authority.
11. To only accept as proof of age and identity a photo card driving licence, passport or any government issued photograph identity card or 'pass accredited' proof of age card.
12. All staff to be trained in all aspects of the licensing legislation and in particular under age sales. It is recommended that records are kept of the nature and frequency of such training.
13. Staff to use an internal radio system whilst licensable activities are taking place.
14. A notice is displayed at the entrance/exit of the premises to remind customers to leave the premises quietly.
15. Noise limiter is fitted and set to limits agreed with Environmental Health.
16. Staff to use Intouch ID system (or similar).
17. Under 18's are not allowed in the premises whilst entertainment of an adult or sexual nature takes place.

Conditions attached after a hearing by the Licensing Authority

Not Applicable

Licensable activities authorised by the licence and times the licence authorises the carrying out of the licensable activities.

Opening Hours

Monday	09:00 to 05:30
Tuesday	09:00 to 05:30
Wednesday	09:00 to 05:30
Thursday	09:00 to 05:30
Friday	09:00 to 05:30
Saturday	09:00 to 05:30
Sunday	09:00 to 05:30
Seasonal	Not Applicable
Non Standard	Not Applicable
Other	The premises may open outside authorised hours for non-licensable activities subject to planning or other legislation.

Sale of Retail of Alcohol

Activity takes place	ON the premises - YES	OFF the premises - YES
Monday	09:00 to 05:00	
Tuesday	09:00 to 05:00	
Wednesday	09:00 to 05:00	
Thursday	09:00 to 05:00	
Friday	09:00 to 05:00	
Saturday	09:00 to 05:00	
Sunday	09:00 to 05:00	
Seasonal	Not Applicable	
Non Standard	Not Applicable	

Live Music

Activity takes place	ON the premises - YES	OFF the premises - NO
Monday	09:00 to 05:00	
Tuesday	09:00 to 05:00	
Wednesday	09:00 to 05:00	
Thursday	09:00 to 05:00	
Friday	09:00 to 05:00	
Saturday	09:00 to 05:00	
Sunday	09:00 to 05:00	
Seasonal	Not Applicable	
Non Standard	Not Applicable	

Recorded Music

Activity takes place	ON the premises - YES	OFF the premises - NO
Monday	09:00 to 05:00	
Tuesday	09:00 to 05:00	
Wednesday	09:00 to 05:00	
Thursday	09:00 to 05:00	
Friday	09:00 to 05:00	
Saturday	09:00 to 05:00	
Sunday	09:00 to 05:00	
Seasonal	Not Applicable	
Non Standard	Not Applicable	

Dancing

Activity takes place	ON the premises - YES	OFF the premises - NO
Monday	09:00 to 05:00	
Tuesday	09:00 to 05:00	
Wednesday	09:00 to 05:00	
Thursday	09:00 to 05:00	
Friday	09:00 to 05:00	
Saturday	09:00 to 05:00	
Sunday	09:00 to 05:00	
Seasonal	Not Applicable	
Non Standard	Not Applicable	

Plays

Activity takes place	ON the premises - YES	OFF the premises - NO
Monday	09:00 to 05:00	
Tuesday	09:00 to 05:00	
Wednesday	09:00 to 05:00	
Thursday	09:00 to 05:00	
Friday	09:00 to 05:00	
Saturday	09:00 to 05:00	
Sunday	09:00 to 05:00	
Seasonal	Not Applicable	
Non Standard	Not Applicable	

Films

Activity takes place	ON the premises - YES	OFF the premises - NO
Monday	09:00 to 05:00	
Tuesday	09:00 to 05:00	
Wednesday	09:00 to 05:00	
Thursday	09:00 to 05:00	
Friday	09:00 to 05:00	
Saturday	09:00 to 05:00	
Sunday	09:00 to 05:00	
Seasonal	Not Applicable	
Non Standard	Not Applicable	

Boxing and Wrestling

Activity takes place	ON the premises - YES	OFF the premises - NO
Monday	09:00 to 05:00	
Tuesday	09:00 to 05:00	
Wednesday	09:00 to 05:00	
Thursday	09:00 to 05:00	
Friday	09:00 to 05:00	
Saturday	09:00 to 05:00	
Sunday	09:00 to 05:00	
Seasonal	Not Applicable	
Non Standard	Not Applicable	

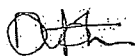
Indoor Sporting Events

Monday	09:00 to 05:00	
Tuesday	09:00 to 05:00	
Wednesday	09:00 to 05:00	
Thursday	09:00 to 05:00	
Friday	09:00 to 05:00	
Saturday	09:00 to 05:00	
Sunday	09:00 to 05:00	
Seasonal	Not Applicable	
Non Standard	Not Applicable	

Late Night Refreshment

Activity takes place	ON the premises - YES	OFF the premises - NO
Monday	23:00 to 05:00	
Tuesday	23:00 to 05:00	
Wednesday	23:00 to 05:00	
Thursday	23:00 to 05:00	
Friday	23:00 to 05:00	
Saturday	23:00 to 05:00	
Sunday	23:00 to 05:00	
Seasonal	Not Applicable	
Non Standard	Not Applicable	

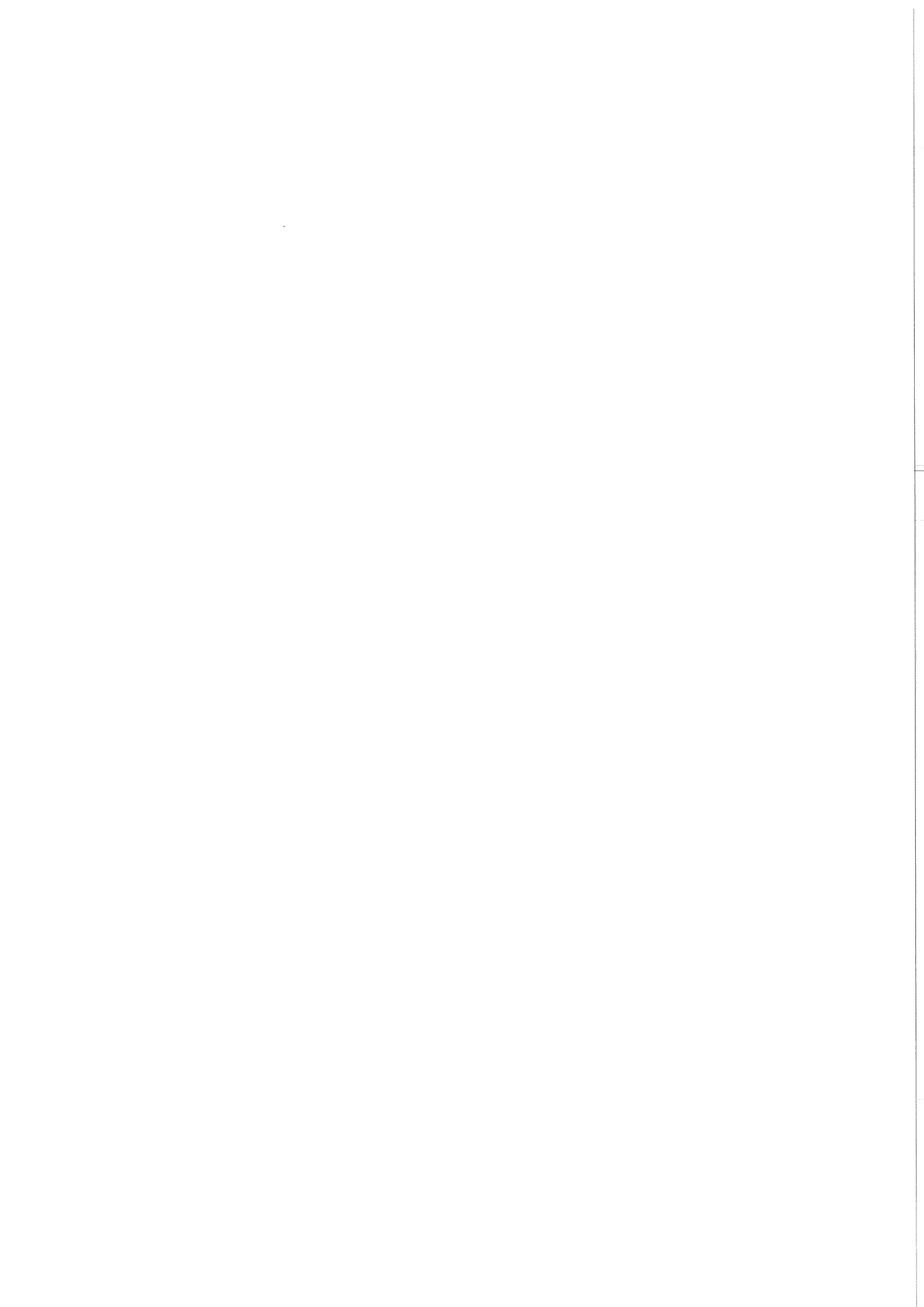
Signed on behalf of Medway Council



Deborah Upton
Solicitor to the Council

1 September 2010

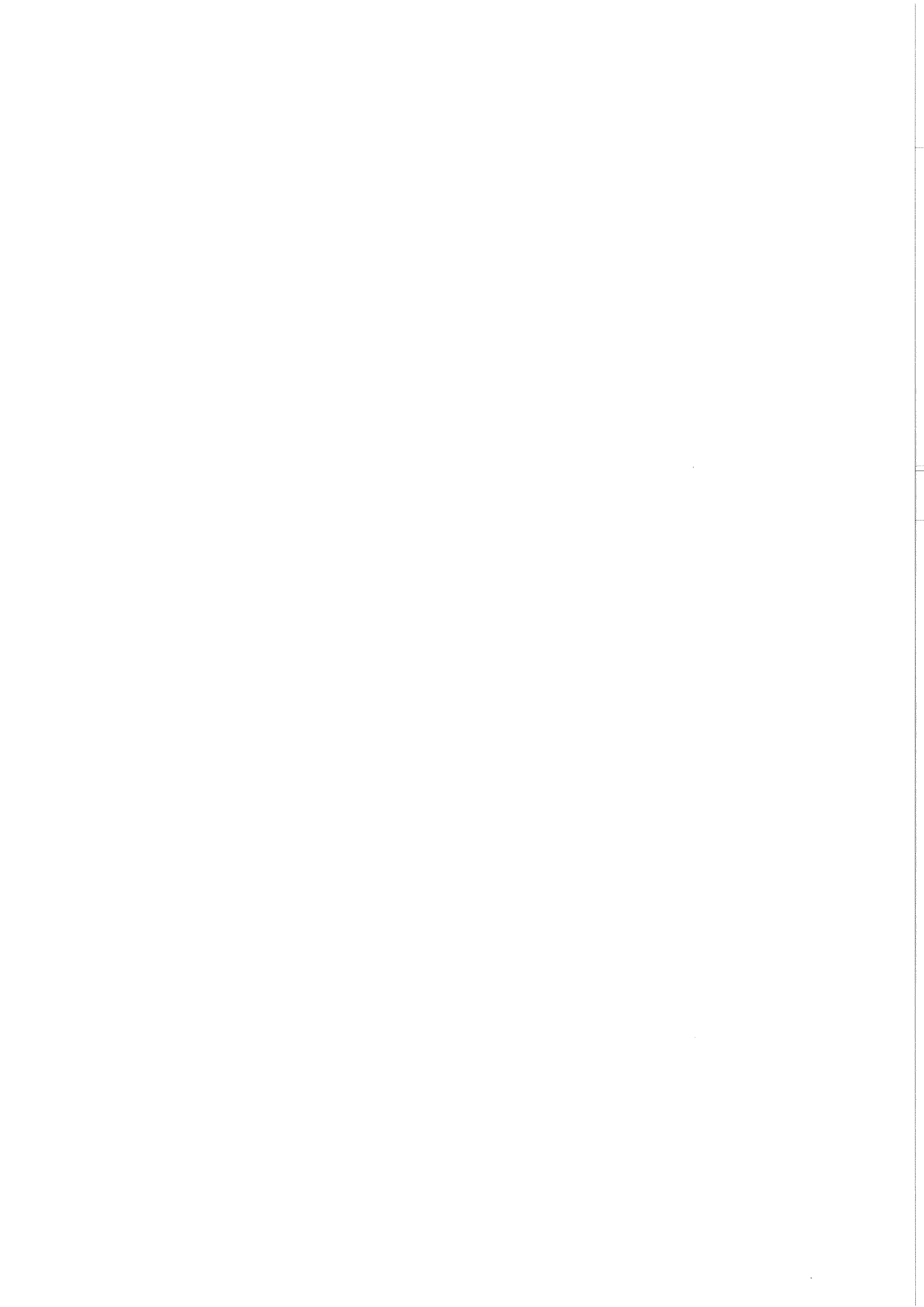
Date



NORTHGATE SE GIS Print Template



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.



MEDWAY COUNCIL
Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING APPLICATION

Before completing this form please read the guidance notes at the end of the form

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I *JILL HINDE*
(insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable).

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description <i>AMADEUS, CHARIOT WAY, MEDWAY VALLEY PARK, CUXTON, KENT.</i>	
Postal Town <i>STROOD</i>	Post Code (if known) <i>ME2 2SS</i>

Name of premises licence holder <i>AARON P. STONE</i>

Number of premises licence <i>MEDWAY-05-PREM-0106</i>

Part 2 – Applicant Details

I am	Please tick yes
An interested party (Complete A or B below)	
A person living in the vicinity of the premises	<input checked="" type="checkbox"/>
A body representing persons living in the vicinity of the premises	<input type="checkbox"/>
A person involved in business in the vicinity of the premises	<input type="checkbox"/>
A body representing persons involved in business in the vicinity of the premises	<input type="checkbox"/>
A responsible authority (please completed C below)	<input type="checkbox"/>
A member of the club to which this application relates (please complete A below)	<input type="checkbox"/>

A DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr

Mrs

Miss

Ms

Other title

(for example - Rev)

Surname

HINDE

First Name

JILL

I am 18 years old or over

Please tick yes

Current postal address if different from premises address

39 APPLECROSS CLOSE

Post Town

ROCHESTER

Post Code

ME1 1SQ

Daytime contact telephone number

01634 831112

E-mail address (optional)

hinde39@btinternet.com

B DETAILS OF OTHER APPLICANT (fill in as applicable)

Name and address

Telephone number (if any)

E-mail address (optional)

C DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

This application to review relates to the following licensing objectives(s)

Please tick one or more boxes

The prevention of crime and disorder

Public safety

The prevention of public nuisance

The protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

Prevention of public nuisance.

THIS NIGHTCLUB IS OPEN ON AT LEAST 3 NIGHTS, AND UP TO 5 NIGHTS, A WEEK. ON EVERY NIGHT THAT THE CLUB IS OPEN, I CAN HEAR THE BASS BEATS OF THE RECORDED MUSIC. WHERE THAT MUSIC ENDS AT 11 PM (USUALLY SUNDAYS) I HAVE NO OBJECTION, BUT THE CLUB IS NORMALLY OPEN UNTIL 2, 3 OR 4 AM. VERY OCCASIONALLY THE SOUND IS AT A LOW ENOUGH LEVEL NOT TO DISTURB ME, BUT ON MOST NIGHTS IT IS LOUD AND CLEAR ENOUGH TO PREVENT OR DISTURB SLEEP.

I HAVE CONTACTED MEDWAY COUNCIL ON PREVIOUS OCCASIONS (DATING BACK TO 2007) BUT THEY HAVE TOLD ME THAT THE NOISE LEVELS ARE NOT HIGH ENOUGH TO BE CLASSED A STATUTORY NUISANCE.

I HAVE COMMUNICATED WITH ONE OF THE CLUB'S OWNERS, WHO PROMISED TO CHECK NOISE LEVELS AND TURN THE BASS DOWN, BUT THERE IS NO IMPROVEMENT. IT MAKES NO DIFFERENCE WHETHER I SLEEP IN THE FRONT OR BACK OF MY PROPERTY - EVEN WITH ALL WINDOWS AND DOORS CLOSED, THE THUMPING BASS IS STILL CLEARLY AUDIBLE.

I FEAR THAT, WITH LACK OF SLEEP, MY HEALTH IS BEGINNING TO SUFFER.

I STILL HAVE SOME DIARY SHEETS RECORDING THE FREQUENCY OF THE NOISE. MEDWAY COUNCIL HAS OTHERS.

Please provide as much information as possible to support the application (please read guidance note 2)

Have you made an application for review relating to this premises before Please tick

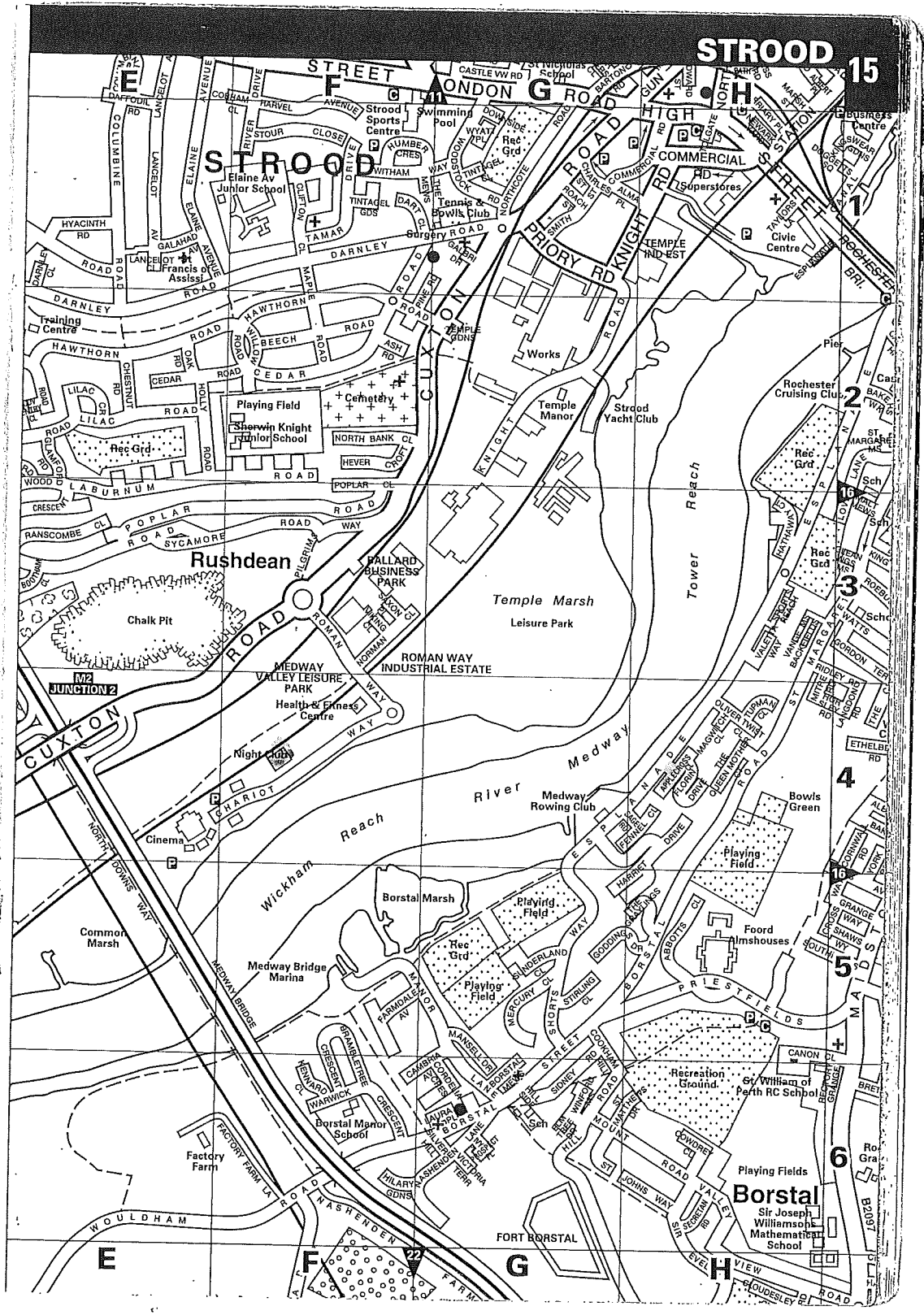
If yes, please state the date of that application Day Month Year

If you have made representations before relating to this premise please state what they were and when you made them

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate Please tick

I understand that if I do not comply with the above requirements my application will be rejected

STROOD 15



francis, mandy

From: Ross Hutchins [ross@rhjp.net]
Sent: 10 December 2010 15:39
To: licensing
Subject: Representations in relation to Amadeus Nightclub Premises License Review
Attachments: Noise report for Amadeus; Ross Hutchins Amadeus.doc

Dear Sirs,

Further to the notification of the commencement of the premises license review process I would like to provided representations in relation to this:

1. We have commissioned the services of the 'Noise Advisory Service' (NAS) to provide us with an independent review of the situation. NAS is a well respected company in its field assisting in advice, design and consultation in many public and private sector projects over many years.
2. The attached report high lights a large portion of glass on the side of the building. In 2008 this area was covered internally with wooden blinds which were removed as part of some internal refurbishment. I am aware that complaints were received during this time which we liaised with environmental health on the matter. Initially it was agreed that internal doors in the premises were a cause of breakout which were subsequently closed during operation but the report on this occasion with measurements provides clear direction to these windows. Recommendations have been made in the report which we would be able to complete.
3. We have provided a copy of this report to Medway Council environmental health team who have reviewed the recommendations and agreed that it would be a positive course of action. This email is attached for review to confirm this.
4. As we noted from the review papers that Medway Council's Environmental health team have not up held a statutory nuisance complaint nor has an abatement notice been served on the property. However we do recognise the importance of the public nuisance complaint under the licensing act and take the matter very seriously.
5. The representations state the music can be heard until around 4 am, during 2010 the club has not traded past 3am on any night and till and other records could be provided to substantiate this. We have concerns regarding customers in the Mc Donald's car park after 3am as this is where we have witnessed on many occasions cars with 'super' sound systems operating them without consideration for others. We feel that the representations may attribute this to ourselves while Mc Donald's holds its own premises license and must uphold its own responsibilities under the licensing act. This sight as one of the few venues where late night refreshment is available 24 hours in Medway is a magnet for people and does a steady trade at all hours. We are also aware the a nearby business is considering legal action against the Mc Donald's to protect its own business from customers anti-social behaviour which further substantiates this.
6. It is always our objective to live in harmony with our neighbours and we are as concerned to resolve the issues as other companies in the group own properties in the Esplanade area.
7. We would further consider a full service and EQ of the sound system to ensure the sound in the venue is of the best quality possible. The reason behind this is that 'dirty' or imbalanced sound systems can often result in noise pollution as the spectrum range is not that was originally

13/12/2010

Noise Advisory Service

Consultants in Acoustics, Noise and Vibration

10 The Wyvern · Grafham · Cambridgeshire · PE28 0GG
Tel: 01480 811281 · Email: enq@noiseadvisoryservice.com

SAG/YC/Amd2

1st December 2010

Ross Hutchins
Aaron P Stone Enterprises Ltd

Dear Ross,

Re: Amadeus Night Club, Rochester – Alleged Noise Nuisance

Further to the inspection and survey we carried out on the 23rd November 2010 in response to the alleged noise nuisance being caused by activities in Amadeus, I would comment as follows:

1. The noise survey carried out in Applecross Close adjacent to the complainant's property showed that in the Close itself the noise from Amadeus, approximately one kilometre across the estuary, was inaudible. At such a position the terrace of which the complainant's property forms a part, acts as a barrier with respect to any noise emanating from Amadeus. Consequently, measurements were also taken adjacent to the elevation of the complainant's property facing the Esplanade, with direct line-of-sight of Amadeus. Again, there was no noise from Amadeus audible above the background level; the background level is relatively high in the area due to the traffic noise from the elevated section of the A2 road. It should be noted that at the time of the survey there was a light south easterly breeze blowing towards the complainant's property from Amadeus and there was relatively high water in the estuary. Both these factors would have exacerbated any noise radiation from the Club.

The only position at which very low levels of low frequency noise attributable to Amadeus could just be heard was at the corner of Applecross Close and the turn-in to the Close from the Esplanade. It appeared that reflections from the properties around this junction were in effect focusing the noise to a very confined position; the effect was lost when moving approximately 10m away from the corner. As already stated, at the complainant's property 40m from the corner, there was no audible noise from Amadeus. The level of noise audible at the corner was effectively 'lost' in the background level; as is often the case with very low levels of noise, they can just be heard but not measured.

2. A subjective appraisal of the noise from Amadeus was attempted at the corner of Norman Close and Viking Close, approximately 400 metres to the north east of the Club. At this position no noise from Amadeus was audible.

Continued...

SAG/YC/Amd2

1st December 2010

Continued:

3. From the inspection of the Club premises it was apparent that the management was taking reasonable measures to control the noise break-out from the Club; all inner doors to the Club were kept closed when not actually in use and the level of noise generated within the building was controlled by a noise limiter. However, externally it was very apparent that there was significant noise break-out through the large glazed section of the front elevation of the building; this elevation faces the complainant's property across the estuary but faces away from the measurement location on the corner of Norman Close and Viking Close

The glazed section represents approximately a third the area of the elevation, is single glazed within a metal frame and as such will have a sound reduction index of between 25db to 30dB, that is, approximately half that of the masonry section of the elevation. As would be expected, the noise break-out was predominantly lower frequency.

4. It is understood that natural light within the Club is rarely required and so there would be little objection to the semi-permanent sealing of the glazing to improve its sound reduction. Obviously, to reduce low frequency noise break-out the sealing structure would need to be of relatively high mass; curtains or even heavy drapes would provide little low frequency attenuation.

It is recommended that a layer of 18mm thick high density chipboard or similar material is installed internally over the glazing forming as large a cavity as possible with the primary panes. The boarding could be retained within metal channelling around the recess but care would need to be taken to ensure there was no movement of the board within the channels; a neoprene gasket should be installed to prevent this. It is vital that the boarding and the support structure are not connected to, and do not touch, the existing glazing frame. Ideally the channelling supporting the boarding should be totally decoupled from the structure retaining the glass but this may be difficult to achieve in practice.

The channelling and central support must be rigid enough to prevent the boarding acting as a 'sounding board' at low frequencies. To prevent resonance within the cavity between the boarding and the glazing, the reveals must be lined with an acoustically absorbent liner such as has been used in other applications.

5. In summary, it can be concluded that on the basis of the observations it is difficult to class the complaint made of noise nuisance due to activities within Amadeus as justified as the only noise that can be heard in Applecross Close is of very low level indeed and does not appear to directly affect the complainant's property. The low frequency noise break-out through the glazed section of the Club elevation can be significantly reduced by the installation of secondary boarding.

Continued...

SAG/YC/Amd2

1st December 2010

Continued:

I hope these observation and conclusions are of help but should there be any queries, please let me know.

Kind regards,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S Grundy', written in a cursive style.

Stephen Grundy

MSc(Eng) CEng FIMechE MIOA

Principal Consultant

francis, mandy

From: haynes, kelly
Sent: 08 December 2010 16:03
To: Ross Hutchins
Subject: Noise report for Amadeus

Hi Ross,

I have reviewed the noise report and am satisfied with the recommendation to control low frequency noise breakout from the single glazed window by installing a layer of 18mm thick high-density chipboard over the window. I would advise that the installation method described in the report be followed to avoid the further transmission of noise through the structure.

I do not consider that there is any need for me to visit the premises as I am satisfied with the report. I would however request that you contact the licensing department to advise you on whether the report needs to be submitted to them to be included in the licensing review procedure.

For your information Environmental Health have not made a representation but have provided information to the licensing department in relation to the application for a review of the premises licence.

Regards,

Kelly Haynes
Environmental Protection Officer
Medway Council
01634 331105

This transmission is intended for the named addressee(s) only and may contain sensitive or protectively marked material up to RESTRICTED and should be handled accordingly. Unless you are the named addressee (or authorised to receive it for the addressee) you may not copy or use it, or disclose it to anyone else. If you have received this transmission in error please notify the sender immediately.

This email has been scanned for viruses and all reasonable precautions have been taken to ensure that none are present. Medway Council cannot accept responsibility for any loss or damage arising from the use of this email or attachments. Any views expressed in this email are those of the individual sender and not necessarily those of Medway Council unless explicitly stated.

Please be aware that emails sent to or received from Medway Council may be subject to recording and/or monitoring in accordance with relevant legislation.

