



**FAO: Licensing Comments**  
 Licensing Department  
 Selby District Council  
 Civic Centre  
 YO8 9FT

Your Prof-  
 Our Ref. \_\_\_\_\_  
 Please a. \_\_\_\_\_  
 E-Mail: \_\_\_\_\_  
 Telephone: 01757 705101

Friday 30 September 2022

Dear Sir or Madam,

**Licence Type: Premises Licence**  
**Address: Ash Tree Inn, London Road, Barkston Ash, Tadcaster, LS24 9PP**

Further to your consultation dated 13/09/2022 concerning the above proposals. I have considered the information provided by the applicant and would make the following comments in relation to the prevention of public nuisance.

It is intended that functions, for example weddings and birthday celebrations, will be held in the outdoor area and the measures noted to prevent public nuisance are to implement the findings of a Noise Impact Assessment. I have not received such an assessment at the time of writing, therefore, by default there is no proposals for promoting this licensing objective put forward by the applicant.

Whilst this is a new Premises Licence application, it is considered that the current operators have had control of the business since at least August 2021 in line with the Food Business Registration dated

It is proposed to play amplified music in external areas during the events between 0800 and 2400hrs on Friday and Saturday and between 0800 and 2300hrs on other days. Whilst acknowledging that statutory guidance issued under section 182 of the Licensing Act 2003 states that no licence permission is required for amplified music between 0800 and 2300hrs on premises authorised to sell alcohol provided that the audience does not exceed 500, I would stress that there is a history of noise complaints from amplified music in external areas during these hours from events held in September 2021, November 2021, January 2022, July 2022 and September 2022.

This department carried out noise monitoring of an event held on 15 September 2022 at a nearby residential receptor, the findings of which identify excessive noise impact from amplified music in gardens to the point that the song/artist is easily recognised. Moreover, there was audibility inside the property in the late evening, albeit barely perceptible on this occasion.

In view of the above, it is a reasonable assumption that noise from amplified music has the potential to cause public nuisance. It is also reasonable to conclude that this will occur frequently and that restricting the number of annual events is neither conducive with the proposals nor does it fulfil the licensing objective of preventing public nuisance. Therefore, I would object to this application in its current form.

Yours faithfully,

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**Senior Environmental Health Officer**  
**Regulatory Services**



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**Your Ref:**  
**Our Ref:** \_\_\_\_\_  
**Please ask for:** \_\_\_\_\_  
**E-Mail:** \_\_\_\_\_  
**Telephone:** 01757 705101

Friday 14 October 2022

Dear Sir or Madam,

**Licence Type: Premises Licence**  
**Address: Ash Tree Inn, London Road, Barkston Ash, Tadcaster, LS24 9PP**

Further to our representation dated 30/09/2022 concerning the above proposals. I have considered the additional information provided by the applicant and would make the following comments in relation to the prevention of public nuisance.

In response to Noise Impact Assessment re \_\_\_\_\_ dated 28/09/2022:

The report provides a robust assessment of external amplified music with the aim of achieving inaudibility at nearby residential receptors in reference to the relevant 'Good Practice guide on the Control of Noise from Pubs and Clubs'. Existing background levels are well defined in terms of octave band  $L_{90,T}$  and  $L_{A90,T}$  values and quantitative noise monitoring of a wedding event held on 15/09/2022 was carried out for comparison, which identified clear audibility of amplified music including low frequencies of percussion and bass lines. This is quantified in Table 5.0 and highlights significant noise impact at residential receptors and, therefore, categorised as Significant Observed Adverse Effect Level (SOAEL) in accordance with the Noise Policy Statement for England (NPSE).

Consequently, the report recommends to either reduce/limit the amplified music octave band  $L_{eq}$  levels to those set out within Table 6.0 or to upgrade the sound insulation of the outdoor marquee to the specification set out within Table 8.0.

Overall, I concur with the report and can therefore propose the following conditions:

1. Noise from amplified and non-amplified music, singing and speech arising from regulated entertainment at the premises shall not be audible inside habitable rooms of noise sensitive properties between the hours of 23.00 and 07.00
2. The licence hereby approved shall be carried out in accordance with Nova Acoustics Noise Impact Assessment re \_\_\_\_\_ dated 28/09/2022
3. The disposal of waste bottles into external receptacles shall not take place between the hours of 23:00 and 07:00

Should the aforementioned conditions be agreeable with the applicant then I withdraw my earlier representation of 30 September 2022. Alternatively, I would recommend that the conditions are considered in full at the Licensing Hearing on 25 October 2022.

Yours faithfully,

————— **MSc MCIEH AMIOA**  
**Senior Environmental Health Officer**  
**Regulatory Services**