

Public Document Pack

LICENSING SUB COMMITTEE

14TH MAY 2012

REVIEW – BOJANGLES, PUDSEY

SUPPLEMENTARY DOCUMENTATION SUBMITTED BY THE PREMISES LICENCE
HOLDER

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BOJANGLES DISPERSAL POLICY

WHEN LAST ORDERS HAVE BEEN CALLED ALL
LIGHTS TO BE TURNED ON AND ALL MUSIC
AND ANY TELEVISIONS TO BE TURNED OFF

ALL STAFF AND SECURITY TO REQUEST ALL
CUSTOMERS TO LEAVE THE PREMISES IN A
SAFE QUIET AND ORDERLY MANNER

TAXI NUMBERS TO BE MADE AVAILABLE TO
CUSTOMERS

REQUEST THAT CUSTOMERS SHOW
REASONABLE COURTESY TO SURROUNDING
NEIGHBOURHOOD

ALL EXITS TO BE LOCKED 30 MINUTES AFTER
LAST ORDERS HAVE BEEN CALLED

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CHECK 21

<p>Safer <u>Leeds</u> <i>tackling drugs and crime</i></p>	<p>DO YOU LOOK UNDER 21?</p>	<p>BACIL <small>Business Against Crime In Leeds</small></p> 
<p>ARE YOU OVER 18?</p>	 <p>WEST YORKSHIRE POLICE</p>	<p>CAN YOU PROVE YOUR AGE?</p>
<p>BACIL <small>Business Against Crime In Leeds</small></p> 	<p>YOU WILL NEED ID!</p>	<p>Safer <u>Leeds</u> <i>tackling drugs and crime</i></p>

If you appear to be
UNDER 21
You will be asked for
PROOF OF AGE!

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RPS

Noise Assessment 07 / 07 616 119
Proposed Extension to the Operational Hours
Bojangles Bar, Lowtown, Pudsey



LEEDS CITY COUNCIL
Please refer to the attached documents
for further information
17 DEC 2007

17 DEC 2007
CITY OF LEEDS



Noise Assessment
Proposed Extension to the Operational Hours
Bojangles Bar, Lowtown, Pudsey

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• Planning & Development

**Proposed Extension to the Operational Hours
Bojangles Bar, Lowtown, Pudsey**

Peter Tallantyre BSc AMIOA, 17th July 2007

DLE6020

This report has been prepared under the Framework of BS EN ISO 9001:2000		
Prepared By:		
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Date	31 st July 2007	Signature
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1 Introduction

- 1.1 It is proposed by Mr Tony Moore ("the appellant") the proprietor/owner, to look to extend the current opening hours of his licensed premises Bojangles Bar located at 28 – 30 Lowtown, Pudsey, Leeds in accordance with his licence.
- 1.2 Within the scope of this appeal on ground (a) Mr Moore is looking to extend the currently permitted closing time of 23:30 by an additional 1.5 hours to 01:00 on Fridays and Saturdays. As part of the appeal consideration there are no structural or material alterations proposed to the exterior or interior of the building structure.
- 1.3 Currently the operation of the Bojangles Bar is covered under the conditions set within three Leeds City Council planning permission documents, one covers the operation of the ground floor bar, a second covers the first floor bar and a third covers alterations made to accommodate the smoking ban. The current planning permissions are referenced 25/256/81/FU, 25/137/05/FU and 07/01025/FU.
- 1.4 The Bojangles Bar currently has a Public Entertainment Licence issued 23rd August 2005 allowing live and recorded music, dancing, late night refreshment, and the sale of alcohol within the premises up until 01:00 Monday to Saturday and 00:30 on a Sunday.
- 1.5 The Northern Acoustics Group of RPS Planning & Development have been commissioned by Walker Morris Solicitors on behalf of Mr Moore to assess whether noise generated by the extended operational hours of the establishment is likely to have an adverse impact on the amenity of residents in the locality.
- 1.6 This report describes a noise survey undertaken at the site and the subsequent analysis to determine the noise impact and comparison of the results with national and local standards and criteria.

2 Noise Units, Standards and Guidance

a) Noise Units

- 2.1 Noise is defined as unwanted sound. The range of audible sound is from 0dB to 140dB. The frequency response of the ear is usually taken to be about 18Hz (number of oscillations per second) to 18000Hz. The ear does not respond equally to different frequencies at the same level. It is more sensitive in the mid-frequency range than the lower and higher frequencies and because of this, the low and high frequency components of a sound are reduced in importance by applying a weighting (filtering) circuit to the noise measuring instrument. The weighting which is most widely used and which correlates best with subjective response to noise is the dB(A) weighting. This is an internationally accepted standard for noise measurements.
- 2.2 For variable noise sources such as traffic, a difference of 3dB is just distinguishable. In addition, a doubling of traffic flow will increase the overall noise by 3dB. The "loudness" of a noise is a purely subjective parameter but it is generally accepted that an increase/decrease of 10dB corresponds to a doubling/halving in perceived loudness.
- 2.3 External noise levels are rarely steady but rise and fall according to activities within an area. In an attempt to produce a figure that relates this variable noise level to subjective response, a number of noise indices have been developed. These include:
- i) The L_{Aeq} noise level
- 2.4 This is the "equivalent continuous A-weighted sound pressure level, in decibels" and is defined in British Standard B.S.7445 [1] as the "value of the A-weighted sound pressure level of a continuous, steady sound that, within a specified time interval, T, has the same mean square sound pressure as a sound under consideration whose level varies with time".
- 2.5 It is a unit commonly used to describe construction noise and noise from industrial premises and is the most suitable unit for the description of other forms of environmental noise. In more straightforward terms, it is a measure of energy within the varying noise.
- ii) The L_{A90} noise level
- 2.6 This is the noise level that is exceeded for 90% of the measurement period and gives an indication of the noise level during quieter periods. It is often referred to as the background noise level and is used in the assessment of disturbance from industrial noise.

b) **Standards and Guidance**

i) **Planning Policy Guidance Note 24 (PPG24)**

2.7 With regard to noise issues within the planning system the current government guidance is contained within the Department of the Environment document Planning Policy Guidance note 24 (PPG24): 1994, Planning and Noise. The document sets out the considerations that should be taken into account when determining planning applications for both noise sensitive developments and those, which will ultimately generate noise.

2.8 With regard to noise from commercial developments within a residential area PPG 24 states the following:

'The likelihood of complaints about noise from industrial developments can be assessed, where the Standard is appropriate, using guidance in BS4142: 1990'.

2.9 Within the guidance of PPG24 Commercial developments are defined as "fast food restaurants, discos, night clubs and public houses"

2.10 This British Standard (BS4142), updated in 1997, provides a methodology for assessing the likelihood of complaints arising from sensitive receptors due to industrial and commercial activities.

2.11 It states that 'complaints are likely' when a noise from one of these sources, corrected for tonal, impulsive or irregularity characteristics (to provide the 'rating' level), exceeds the existing 'background' level, referred to as the L_{A90} (the noise level exceeded for 90% of the time), by 10dB(A) or more. Increases of 5dB(A) above background are deemed by the Standard to be of 'marginal significance', whilst a rating level of more than 10dB(A) below the measured background level provides a 'positive indication that complaints are unlikely'.

2.12 The source noise is assessed in terms of $L_{Aeq,T}$, where 'T' is a reference period of one hour during daytime hours (07:00 - 23:00hrs) and 5-minutes at night time (23:00 - 07:00hrs).

2.13 However, the Standard has limitations and states that the assessment methodology provided is not suitable for assessing the noise measured inside buildings or where the background and rating noise levels are both very low (i.e. below 30dB L_{A90} and approximately 35dB $L_{Ar,T}$ respectively).

ii) **Institute of Acoustics (IOA)**

2.14 In 1996 the Institute of Acoustics (IOA) established a working group to produce guidance and assessment criteria for noise control from pubs and clubs. However, the IOA concluded that

the criterion proposed was not robust enough to be published as a formal Code of Practice and as such the only output of the exercise was a good practice guide.

- 2.15 This guide was published by the Institute of Acoustics under the title "Good Practice Guide on the Control of Noise from Pubs and Clubs" dated March 2003 and the broadly mirror document published by the British Beer and Pub Association "Guide to Noise Control for Licensees" 2003.
- 2.16 The IOA document gives guidance on the assessment and control of noise generated by either the public or private usage of public houses, clubs, hotels, discothèques, restaurants or other similar premises at sensitive receptors.
- 2.17 The guide considers the impact of noise generated by the main sources associated with the above developments namely amplified and non-amplified music, singing and speech, PA systems and rowdy behaviour.
- 2.18 The document sets out measurement procedures detailing information on locations and periods, equipment specifications and meteorological conditions, and notes that any assessment methodology would need to place great emphasis on the need for realistic source noise levels on which any calculations should be based.
- 2.19 With regard to music, singing and speech originating from within a building structure and noise generated by rowdy behaviour outside, the guide presents details of generalised control measures which should be investigated/considered at the planning stage of the development.
- 2.20 The document, however, does not present any guidance with regard to acceptable noise criteria from entertainment generated noise.

British Standard 8233:1999 [3]

- 2.21 B.S.8233 provides guidance values for a range of ambient noise levels within residential properties as shown in the table below.

Table 2.1: Internal Ambient Noise Levels for Various Room Types

Criterion	Typical Situation	Design Range dB L _{Aeq,t}	
		Good	Reasonable
Reasonable resting/ sleeping conditions	Living rooms	30	40
	Bedrooms	30	35

iii) Other Guidance Criteria

- 2.22 Other recommendations in respect of night time noise levels are:
- a) *The Organisation for Economic Co-operation and Development provisionally recommended adoption of the following Leq levels in member countries: 35 dB(A) during*

the period of getting to sleep, 45 dB(A) in the case of light sleep, and 50 dB(A) for deep sleep.

- b) The World Health Organisation [4] recommended an internal level of about 30 dB(A) during the night.

iv) Planning History of the Site

2.23 Presented below is the planning history of the site from the initial opening of the ground floor bar area in 1981 to the present application. Where available information relating to pertinent conditions regarding noise or opening hours are included:

Planning permissions P/H25/119/81 and P/H25/256/81

2.24 Planning permission P/H25/119/81 granted by Leeds City Council on the 8th April 1981 is the first planning permission for the site relevant to the Bojangles bar. This permission allowed the conversion of the existing ground floor retail unit to a wine bar.

2.25 This permission (P/H25/119/81) was superseded by Leeds City Council planning permission ref: P/H25/256/81 dated 3rd August 1981 to take account of a revision to the opening hours. Within this revised planning permission the opening hours of the wine bar were set within condition number 4 as detailed below:

- 4) The operating hours shall be restricted to 0800 hours to 2330 hours Monday to Saturday and 1200 hours to 2330 on Sundays.*

Planning permissions P/25/137/05/FU

2.26 Planning permission P/25/137/05/FU dated 1st December 2003 was granted by Leeds City Council (LCC) for the conversion of the first floor of the Bojangles building for use as a wine bar.

2.27 Within this planning permission condition 3 is relevant to permitted opening hours as detailed below:

- 3) The operating hours of the first floor shall be restricted to 0800 hours to 2330 hours Monday to Saturday and 1200 hours to 2330 on Sundays.*

Planning permissions 07/01025/FU

2.28 Planning permission 07/01025/FU dated 12th April 2007 was granted by LCC for the provision of a new pitched roof, two new first floor windows, one new ground floor window, two new doorways to the side and a smoking area.

2.29 Within the scope of this planning permission the following conditions are considered to be relevant to both noise and permitted opening times:

- 5) The air conditioning / extraction system shall not be used unless a scheme to control noise emitted from the air conditioning /*

extraction system to a level which has been approved in writing by the Local Planning Authority has been submitted. Once approved, such measures shall be installed prior to the first use of the AC/Ext system and shall be retained at all times that the A/C / Ext system is used thereafter.

Reason - In the interests of amenity

- 6) *The proposed outdoor smoking area shall not be used for the purposes of consumption of food or drink after 23:00 hours*

Reason - In the interests of amenity

- 9) *There shall be no playing of music or amplified sound in any external area*

Reason - In the interests of the amenity of residential occupiers of the flats in the upper floors and surrounding commercial property.

- 11) *The opening hours of the premises shall be restricted to 08:00 hours to 23:30 hours Monday to Saturday and 12:00 hours to 23:30 hours on Sundays.*

Reason - In the interests of the amenity of nearby residents.

Planning Application 06/01354/FU (17th may 2006)

- 2.30 In 2006 Mr Moore submitted a planning application for the extension of the opening hours of both bar areas to 02:30 on Saturday mornings.

- 2.31 This application was refused with the only reason cited being:

1) the local planning authority considers that the proposed extension of opening hours to 02:30 on Saturday mornings is unacceptable and will have a significant impact on the residential amenity of nearby properties on Lowtown and Studley Terrace and in the vicinity of the site from patrons exiting the premises contrary to policy GP5 of the Adopted Unitary Development Plan.

- 2.32 Subsequently an appeal against the decision was made (Appeal ref: APP/N4720/A/06/2022159. This appeal was dismissed with part of the reason for dismissal being:

"In these closely built up surroundings I have little doubt that an element of noise and disturbance will arise late at night, as the wine

bar closes, which will adversely affect the occupants of the nearest dwellings.....”

3 Site Description and Application Proposals

i) Site Description

- 3.1 The Bojangles bar is located at numbers 28 - 30 Lowtown in the Pudsey district of Leeds. The post code for the building is LS28 7AA.
- 3.2 The bar is located on the ground and first floors of a two story stone built building. No other uses are contained within the building.
- 3.3 Immediately to the east of the bar is located a restaurant which is permitted to open until 10pm Monday to Saturday. Furthermore within the vicinity of the bar are located shops, hot food takeaway establishments, public houses and a private members club.
- 3.4 The bar is afforded limited parking to the rear for employee usage.
- 3.5 The closest residential properties to the bar are located to the west on Studley Terrace which consists of 3 number houses arranged in a terraced row and a first floor apartment unit. The houses are set back away from Lowtown at the end of Studley Terrace. The apartment unit is at first floor level to the southern end of Studley Terrace and consequently overlooks Lowtown.
- 3.6 No residential uses directly abut or share any party walls with the bar.

ii) Application Proposals

- 3.7 Within the scope of this appeal on ground (a) it is proposed to extend the opening hours of both the ground and first floor bar areas from the currently permitted closing time of 23:30 by an additional 1.5 hours to 01:00.
- 3.8 There are no structural or material alterations proposed to the exterior or interior of the building as part of this appeal.

4 Analysis of Existing Noise Climate

- 4.1 In order to determine the existing noise climate of the area and the noise associated with the Bojangles bar a noise monitoring survey was carried out between 20:00 on the 7th July 2007 and 01:45 on the 8th July 2007.
- 4.2 The monitoring was undertaken at 2No. locations as detailed in Figure 1, which were considered to be representative of the closest residential receptor locations to the bar. The monitoring locations are further described below:
- Location 1 Adjacent to number 2 Studley Terrace (20:00 – 01:25);
- Location 2 At the junction of Studley Terrace and Lowtown (01:25 – 01:45).
- 4.3 The instrumentation used for all the noise surveys was a Norsonic type 118 Integrating Sound Level Meter (Serial No. 31314). The meter was fitted with the manufacturer's specification wind shield during all measurement periods.
- 4.4 The meter was externally calibrated before and after the monitoring period and no significant deviation in calibration level was noted. The instrumentation calibration documentation is included within Appendix 2.
- 4.5 During all measurements, the microphone was mounted on a tripod at a height of 1.5m above the site ground level. Unfortunately due to the constraints of the assessment area it was not possible to locate the microphone 3.5m from any reflecting surface, therefore façade noise levels have been monitored. The Sound Level Meters were both set to measure L_{Aeq} , L_{A90} , L_{A10} and L_{Amax} parameters.
- 4.6 All noise monitoring undertaken in association with this report was attended by a competently trained RPS field technician.
- 4.7 Weather conditions were noted during the survey periods to be as detailed below.

Saturday 7th July 2007

Warm, dry and sunny evening (17°C) with approximately 50% cloud cover. The wind was noted to be a westerly wind, with the speed measured to be below 5ms^{-1} during the entirety of the survey period.

During the survey period the roads within the area were noted to be dry.

Sunday 8th July 2007

The weather remained relatively similar into the early hours of Sunday morning, although the cloud cover was noted to increase to 100% and the temperature dropped to approximately 13°C.

4.8 The following table summarises the results of the monitoring exercise undertaken. The data has been separated into the following key activities:

- 1) Up until 23:00 daytime period (PPG24) when the bar is open;
- 2) From 23:00 to 01:00 night-time period (PPG24) when the bar is open;
- 3) From 01:00 to 01:25 as patrons are leaving the bar and dispersing;
- 4) From 01:25 to 01:40 general background activity within the area after Bojangles has closed and the patrons dispersed.

Table 4.1: Summary of On-Site Noise Monitoring Results

Location	Date	Time Period	L _{Aeq}	L _{Amax}	L _{A10}	L _{A90}
20:00 to 23:00 - Normal operational scenario of Bojangles Bar						
Location 1	7/7/07	20:00 – 21:00	63.0	91.5	64.6	58.7
		21:00 – 22:00	70.2*	108.0*	63.2	58.6
		22:00 – 23:00	62.1	88.4	63.5	58.7
23:00 to 01:00 - Normal operational scenario of Bojangles Bar						
Location 1	7/7/07	23:00 – 23:30	60.5	76.9	62.0	58.6
		23:30 – 00:00	61.2	77.6	62.7	59.0
	8/7/07	00:00 – 00:30	61.1	77.5	62.7	58.6
		00:30 – 01:00	60.8	77.8	62.4	58.7
01:00 to 01:25 - as the Bojangles Bar closes and patrons exit the building and disperse						
Location 1	8/7/07	01:00 – 01:25	61.5	74.0	62.8	58.8
01:25 to 01:40 – Background noise levels of the vicinity in the absence of any Bojangles related noise						
Location 2	8/7/07	01:25 – 01:40	64.1	78.4	68.4	51.6

* Monitoring period adversely affected by passer by singing into the SLM microphone

4.9 The entire data set monitored at the site is presented within Appendix 1 coupled with identification of any specific extraneous noise sources which have adversely affected the monitored noise levels.

4.10 Throughout the monitoring exercise the following activities were noted by the field engineer to be dominant within the given periods:

Table 4.2: Subjective analysis of the noise climate

20:00 to 23:00 - Normal operational scenario of Bojangles Bar	
Location 1	Road traffic noise on Lowtown, general activities within the area, car doors slamming, car horns, car alarms, general hubbub of people within the area, residents arriving and leaving properties. No noise audible from within the Bojangles bar building Constant drone of adjacent extraction/air conditioning unit
23:00 to 01:00 - Normal operational scenario of Bojangles Bar	
Location 1	Road traffic noise on Lowtown, hubbub of people moving around and taxis arriving at various locations on Lowtown. No noise audible from within the Bojangles bar building Towards 00:50 – 01:00 – taxis arriving to collect pub clientele Constant drone of adjacent extraction/air conditioning unit
01:00 to 01:25 - as the Bojangles Bar closes and patrons exit the building and disperse	
Location 1	Road traffic noise on Lowtown which was subjectively noted to still be busy. General noise of people leaving Bojangles and milling around, taxis arriving and departing various locations within the area. No noise audible from within the Bojangles bar building. Constant drone of adjacent extraction/air conditioning unit.
01:25 to 01:40 – Background noise levels of the vicinity in the absence of any Bojangles related noise	
Location 2	Noise from occasional vehicles on Lowtown, noise of last few people departing the area. No noise audible from within the Bojangles bar building. No drone from extraction/air conditioning unit due to change of location

5 Noise Impact Assessment

- 5.1 The main receptors to noise emissions from the extension of the operational hours of the Bojangles Bar will be the residential properties located along Studley Terrace, therefore the assessment will consequently address this area.
- 5.2 The assessment of the impact of the extension to the operational hours of the Bojangles Bar at the closest residential receptors will be undertaken based upon the results of the noise monitoring survey undertaken at the site during July 2007.
- 5.3 However due to the character of the noise climate in the area and the numerous similar (other pubs, clubs etc.) uses within close proximity it is not possible to isolate from the monitored data noise generated specifically by patrons of the Bojangles bar alone. Therefore it is not considered that a BS4142 assessment based on the available data would be representative of the situation at the site.

Bojangles Open 20:00 to 01:00

- 5.4 Analysis of the subjective notes undertaken concurrently with the noise monitoring at location 1, on Studley Terrace, whilst the Bojangles bar was open (20:00 – 01:00) concludes the following. The noise climate of the locality was noted to be dominated by constant noise generated by the adjacent extraction/air conditioning plant associated with the bar. Further to this noise was also noted to be evident from road traffic movements on Lowtown and general human activity within the area associated with both the Bojangles bar and other venues and uses within the area.
- 5.5 It was noted by the field engineer that no noise was evident breaking out of the Bojangles building.
- 5.6 Analysis of the monitored noise levels shows the L_{Aeq} of the locality to be between 60.5dB(A) and 70.2dB(A), with an average of 64.3dB(A). However the level of 70.2dB(A) monitored between 21:00 and 22:00 is elevated above the other readings by between 7 – 10dB(A), this is as a result of someone singing directly down the SLM microphone. With the exclusion of this data the average reduces to 61.5dB(A). This average will be utilised within the rest of the assessment.
- 5.7 During the same period the L_{A90} levels monitored remained relatively constant at between 58.6 and 59.0dB(A) with a resulting average of 58.7dB(A).

Bojangles Closed, Patrons exiting premises 01:00 to, 01:25

- 5.8 From the analysis of the field notes taken during this activity it is concluded that the main noise source at the monitoring location was again the extraction/air conditioning plant. This was coupled with the general hubbub of people leaving the area and taxi cabs arriving and departing from various locations along Lowtown.
- 5.9 Again it was noted that no noise breakout was evident from within the building envelope.
- 5.10 Reference to the monitoring data concludes that during the 25 minute window in which this activity was occurring the L_{Aeq} was measured to be between 59.7 and 64.3dB(A), with a resulting average of 61.5dB(A).
- 5.11 The measured L_{A90} during the same 25 minute period ranged between 57.9 to 61.7dB(A) with an average of 58.8dB(A).

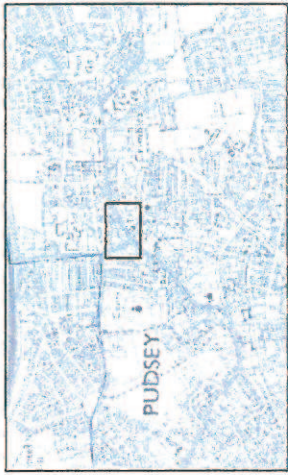
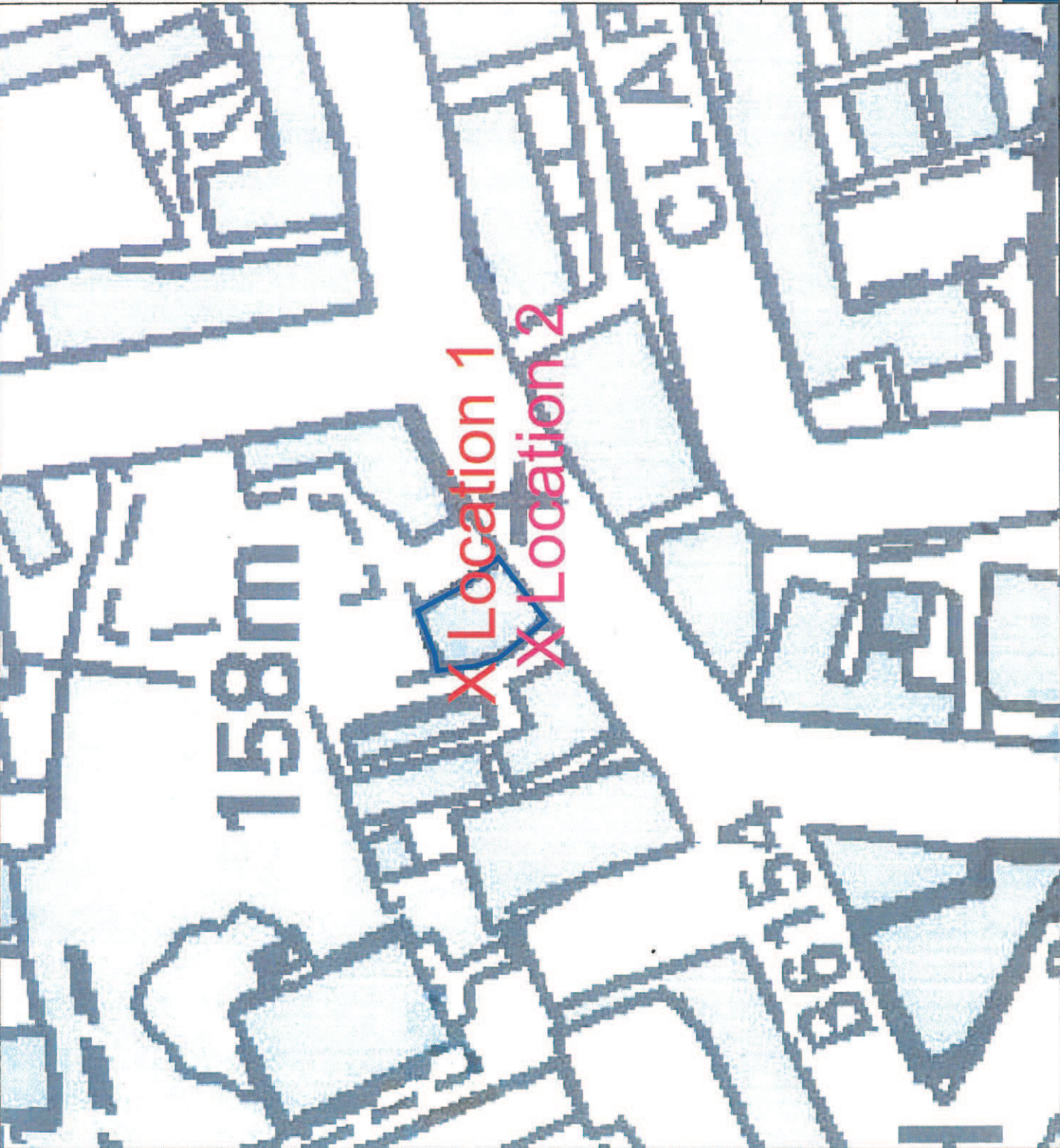
Background Location (Location 2) 01:25 to 01:40

- 5.12 Due to the constant nature and dominance of the noise generated by the bar extraction / air conditioning plant the SLM was moved in order to establish the noise levels within the area in the absence of this source.
- 5.13 During the monitoring period all operations associated with Bojangles bar had ceased, with the exception of the extraction/air conditioning plant. It was noted by the field engineer that the extraction / air conditioning plant was not audible at the location chosen.
- 5.14 Noise sources on Lowtown were noted by this point to be very intermittent and sporadic with a vast reduction in activity.
- 5.15 Reference to the monitoring data concludes that during the 20 minute background window the L_{Aeq} was measured to be between 61.9 and 65.4dB(A), with a resulting average of 64.1dB(A). This increase in the measured L_{Aeq} is as a result of the location being closer to more intermittent noise sources on Lowtown.
- 5.16 The measured L_{A90} during the same 20 minute background period which would not be affected by either the extraction / air conditioning plant or the intermittent sources on Lowtown ranged between 49.7 to 55.0dB(A) with an average of 51.6dB(A).

6 Conclusions

- 6.1 Noise levels were monitored in the vicinity of Bojangles bar on the 7th and 8th July 2007. Noise levels were monitored during the normal operation of the bar, closing time and for a period thereafter where all operation associated with the bar had ceased.
- 6.2 During the survey period on Studley Terrace it was noted that the only real noise associated with the Bojangles bar evident within the noise climate of the area was generated by the extraction/air conditioning fans. No noise was audible at any point within the survey breaking out from within the Bojangles building structure.
- 6.3 Noise generated by people milling around on Lowtown could not be specifically attached to Bojangles as people were moving around on Lowtown between other adjacent uses as well.
- 6.4 Within the immediate area of the Bojangles bar, also fronting onto Lowtown, are other licensed premises and associated facilities (take-aways etc.) which operate late into the evening and night. The L_{Aeq} of the area is made up of noise generated by, and generated by the human usage of, all of the premises within the area. This is corroborated by the fact that the L_{Aeq} is shown to be similar with the bar open and closed concluding that general bar noise from Bojangles does not solely affect the general noise climate of the area. To specifically assign the L_{Aeq} s monitored to noise generated solely by the Bojangles bar would not be representative of the actual situation.
- 6.5 Furthermore, with regard to any noise generated by the general hubbub of patrons entering and exiting the Bojangles premises this is not considered to be out with the general character of the area during the requested extended time period.
- 6.6 Compound analysis of the background noise levels within the area, the subjective field notes undertaken by the field engineer and further taking account of concerns raised to our field engineer by residents of Studley Terrace the following is concluded. Between the bar being open and being closed a differential of +7dB(A) is evident, it is concluded from the above that this increase is solely due to the operation of the extraction / air conditioning plant at the rear of the building.
- 6.7 Acoustic treatment or relocation of the extraction / air conditioning plant would be required in order to reduce the impact associated with the open bar. The fans would require to be treated such that the noise level solely of the fans at the properties is approximately 10dB(A) below the measured background of the area. This would ensure that the impact of this plant is reduced to a minimal level.

- 6.8 Subject to the implementation of the acoustic treatment to the extraction / air conditioning plant to the rear of the Bojangles building and bar management procedures to prevent loitering after closing, there is considered to be no reason why, in an area such as this, the extension of the opening hours would cause undue effect to residents with in the area.



Key



- Bojangles Building



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Client: Walker Morris

Project: Bojangles

Title: Noise Monitoring Location

Date: Jul 07 Scale: NTS Paper Size: A4

Drawn: ALW Checked: PT Job Ref: DLE6020

Figure Number: 01 Rev: 01

www.rpsgroup.com

Appendix 1

References

References

1. Institute of Acoustics (IOA): Good Practice Guide On The Control of Noise From Pubs And Clubs, 2002
2. British Standards Institution. British Standard 5228: Noise and Vibration Control on Construction and Open Sites, 1997.
3. British Standards Institution. British Standard 8223: Sound Insulation and Noise Reduction for Buildings – Code of Practice, 1999.
4. Planning Policy Guidance Note 24 (PPG 24): Planning and Noise

Noise Monitoring Results

DLE 6020 Bojangles

Location 1 - Day Time

Address: To the rear of Bojangles, on Studaby Terrace
 Monitoring Start: 20:00 Saturday 07/07/2007
 Monitoring End: 23:00 Saturday 07/07/2007

Interval duration: 15 minute
 Model Number: Norsonic
 Serial Number: 31314

Notes

Rec #	Date	Time	Duration	LAeq	LAMax	LA10	LA90
1	7-Jul-07	20:00:00	0:15	62.9	76.8	65.5	58.5
2	7-Jul-07	20:15:00	0:15	61.9	80.7	64.1	58.7
3	7-Jul-07	20:30:00	0:15	61.4	73.9	63.8	58.7
4	7-Jul-07	20:45:00	0:15	65	91.5	65	58.8
5	7-Jul-07	21:00:00	0:15	75.7	108	65.2	59.1
6	7-Jul-07	21:15:00	0:15	60.6	75.2	62.4	58.3
7	7-Jul-07	21:30:00	0:15	64.2	90.9	63.2	58.5
8	7-Jul-07	21:45:00	0:15	60.4	76.4	61.9	58.5
9	7-Jul-07	22:00:00	0:15	63.2	88.4	63.8	58.8
10	7-Jul-07	22:15:00	0:15	61.6	81.4	63.5	58.5
11	7-Jul-07	22:30:00	0:15	61.7	78.5	63	58.6
12	7-Jul-07	22:45:00	0:15	61.5	74.8	63.7	58.8

Car on Studaby Terrace blowing horn + shouting voices
 Group pass position, one man sings into mic

Ambulance siren

Car horn

Car alarm next to meter

Location 1 - Night Time

Address: To the rear of Bojangles, on Studaby Terrace
 Monitoring Start: 23:00 Saturday 07/07/2007
 Monitoring End: 01:20 Sunday 08/07/2007

Interval duration: 5 minute
 Model Number: Norsonic
 Serial Number: 31314

Rec #	Date	Time	Duration	LAeq	LAMax	LA10	LA90
1	7-Jul-07	23:00:00	0:05	60.6	70.5	62.6	58.4
2	7-Jul-07	23:05:00	0:05	60.1	69	61.5	58.6
3	7-Jul-07	23:10:00	0:05	60.4	76.9	61.5	58.4
4	7-Jul-07	23:15:00	0:05	60	68.8	61.7	58.3
5	7-Jul-07	23:20:00	0:05	60.6	73.5	62.5	58.6
6	7-Jul-07	23:25:00	0:05	61.1	73	62.4	59.1
7	7-Jul-07	23:30:00	0:05	61.3	72.9	62.7	58.9
8	7-Jul-07	23:35:00	0:05	61.1	76.9	62.7	58.6
9	7-Jul-07	23:40:00	0:05	60.4	70.8	62	58.6
10	7-Jul-07	23:45:00	0:05	60.4	70.8	61.9	58.8
11	7-Jul-07	23:50:00	0:05	60.8	74.1	62.5	58.5
12	7-Jul-07	23:55:00	0:05	62.6	77.6	64.1	60.4
13	8-Jul-07	00:00:00	0:05	61.1	72.4	62.4	58.8
14	8-Jul-07	00:05:00	0:05	61.7	77.5	63.2	58.5
15	8-Jul-07	00:10:00	0:05	61	71.4	63.1	58.5
16	8-Jul-07	00:15:00	0:05	59.8	66.6	61.5	58.3
17	8-Jul-07	00:20:00	0:05	61	75.4	62.5	58.5
18	8-Jul-07	00:25:00	0:05	61.7	75.8	63.5	59.1
19	8-Jul-07	00:30:00	0:05	60.8	75.8	62.6	58.6
20	8-Jul-07	00:35:00	0:05	61.5	72.6	63.5	59.1
21	8-Jul-07	00:40:00	0:05	62.2	77.8	64.3	59.1
22	8-Jul-07	00:45:00	0:05	59.2	67.1	60.4	57.8
23	8-Jul-07	00:50:00	0:05	60.8	73.3	62.1	59.1
24	8-Jul-07	00:55:00	0:05	59.8	69.1	61.2	58.3
25	8-Jul-07	01:00:00	0:05	59.9	71.7	61.4	58.3
26	8-Jul-07	01:05:00	0:05	61.1	71.3	63.1	58.1
27	8-Jul-07	01:10:00	0:05	60.4	74	62.1	57.9
28	8-Jul-07	01:15:00	0:05	59.7	71.3	61.2	58
29	8-Jul-07	01:20:00	0:05	64.3	67.1	66.2	61.7

Noisy - People + taxis

Large gang of youths on the street

Taxis queuing on Lowtown

Location 2 - Night Time

Address: To the front edge of Bojangles, on Studaby Terrace
Monitoring Start: 01:20 Sunday 08/07/2007
Monitoring End: 01:40 Sunday 08/07/2007

Interval duration: 5 minute

Model Number: Norsonic

Serial Number: 31314

Rec #	Date	Time	Duration	LAeq	LAMax	LA10	LA90
30	8-Jul-07	01:21:00	0:05	63.7	75.7	67.9	51.6
31	8-Jul-07	01:25:00	0:05	65.4	77.1	69.8	55
32	8-Jul-07	01:30:00	0:05	61.9	75.5	65.7	50
33	8-Jul-07	01:35:00	0:05	64.8	78.4	70	49.7

Instrument Calibration Documentation

CERTIFICATE OF CALIBRATION

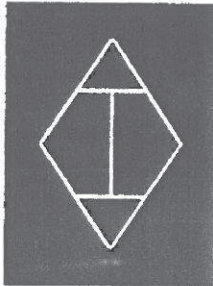
ISSUED BY AV CALIBRATION LTD

Date of issue 8 August 2006

Certificate N° 02563



0653



AV Calibration Ltd
13c Old Bridge Way
Shefford
Bedfordshire SG17 5HQ
England
Telephone (01462) 638600
Fax (01462) 638601
E-Mail lab@avcalib.co.uk

Page 1 of 2 pages

Approved Signatory
R.G.Tyler

A handwritten signature in black ink, appearing to read 'R.G. Tyler'.

CLIENT RPS Group PLC
33 New Hey Road
Huddersfield
HD3 4AL

F.A.O. Peter Tallantyre

REF. Order N° 3141 Job N° UKAS06/07202/02

DATE OF RECEIPT 26 July 2006

PROCEDURE AV Calibration Engineer's Handbook, Section 2

IDENTIFICATION Sound calibrator Brüel & Kjær type 4231 serial number 2393954, with one-inch housing and adapter type UC 0210 for half-inch microphone.

CALIBRATED ON 8 August 2006

PREVIOUS CALIBRATION Calibrated on 5 July 2005
Certificate N° 01903 issued by UKAS laboratory N° 0653

This certificate is issued in accordance with the laboratory accreditation requirements of the United Kingdom Accreditation Service. It provides traceability of measurement to recognised national standards, and to units of measurement realised at the National Physical Laboratory or other recognised national standards laboratories. This certificate may not be reproduced other than in full, except with the prior written approval of the issuing laboratory.

CERTIFICATE OF CALIBRATION

UKAS ACCREDITED CALIBRATION LABORATORY No 0853

Certificate N° 02563

Page 2 of 2 pages

MEASUREMENTS

The sound pressure level generated by the sound calibrator in its half-inch configuration, using the "94 dB" setting, was measured five times using a B&K type 4134 microphone with its protective grid in position. The microphone sensitivity was traceable to National Standards.

RESULTS

The mean level of the calibrator output, corrected to the standard atmospheric pressure of 101.3 kPa using manufacturers' data, was

$$93.92 \pm 0.12 \text{ dB rel } 20 \mu\text{Pa}$$

The fundamental frequency of the sound output was 1000 Hz \pm 0.06%, and its total distortion was (0.48 \pm 0.04) %.

The reported expanded uncertainty is based on a standard uncertainty multiplied by a coverage factor $k=2$, providing a level of confidence of approximately 95%. The uncertainty evaluation has been carried out in accordance with UKAS requirements.

During the measurements the laboratory environmental conditions were:

temperature: 23 to 24 °C
barometric pressure: 101.7 to 101.8 kPa
relative humidity 58 to 72 %.

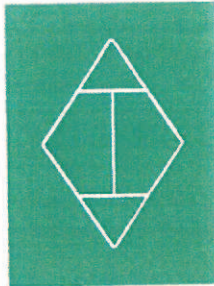
NOTES:

- 1 It was found on receipt that the two sections of the plastic moulding forming the adapter type UC 0210 had become separated, the weld between them having been broken. A repair was therefore carried out prior to calibration.
- 2 The half-inch adapter type UC 0210 was found to be fitted 90° from its correct orientation on receipt. Care should be taken to fit the adapter as intended, in order to ensure that the output level is correct and repeatable.

CERTIFICATE OF CALIBRATION

ISSUED BY AV CALIBRATION LTD

Date of issue 7 September 2006 Certificate N° 02630



AV Calibration Ltd
13c Old Bridge Way
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Bedfordshire SG17 5HQ
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Telephone (01462) 638600
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E-Mail lab@avcalib.co.uk

Page 1 of 7 pages

Approved Signatory
R.G.Tyler

CLIENT RPS Group plc
Wellfield House
33 New Hey Road
Huddersfield
HD3 4AL

F.A.O. Peter Talantyre

REF. Order N° 3213 Job N° UKAS06/08244/01

DATE OF RECEIPT 29 August 2006

PROCEDURE AV Calibration Engineer's Handbook, Section 3: verification of sound level meters to BS 7580:Part 1:1997

IDENTIFICATION Sound level meter Norsonic type 118 [serial no. 31314] connected via an extension lead type P1408/5M and preamplifier type 1206 [serial no. 30349] to a half-inch microphone type 1225 [serial no. 48016] fitted with a foam windshield type 1451. Associated calibrator Norsonic type 1251 [serial no. 30864] with one-inch housing and adapter type 1443 for half-inch microphone.

CALIBRATED ON 6 September 2006

PREVIOUS CALIBRATION None known

This certificate is issued in accordance with the laboratory accreditation requirements of the United Kingdom Accreditation Service. It provides traceability of measurement to recognised national standards, and to units of measurement realised at the National Physical Laboratory or other recognised national standards laboratories. This certificate may not be reproduced other than in full, except with the prior written approval of the issuing laboratory.

RPS

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PREMISES SAFETY RISK ASSESSMENT

SECTION 2

This listing does not include all potential hazards. It includes the main ones - each workplace location and environment has differing hazards. Not all these categories will apply or are of equal importance.

RR = Risk rating of low, medium or high.

Suitability	Yes	No	N/A	RR	Comment/Controls
Is the premises adequately heated?	✓			L	AIR CONDITIONING FITTED
Are sufficient wall mounted thermometers available to register the temperature within the premises?	✓			L	THERMOSTATES FITTED TO AIR CONDITIONING
Is the premises accommodation adequately ventilated?	✓			L	AIR CONDITIONING FITTED
Is the premises accommodation well lit?	✓			L	
Is the premises accommodation clean and tidy with a good house keeping regime in place?	✓			L	CONTRACT CLEANERS DAILY
Is the premises accommodation in good decorative order?	✓			L	
Are the floors in good condition (i.e. no trip hazards)?	✓			L	
Are wet floor procedures in place?	✓			L	ALL SPILLAGES CLEANED IMMEDIATELY
Are hazardous substances stored correctly?	✓			L	IN CELLAR
Have employees received information, instruction and training on the safe use of chemicals?	✓			L	
Is shelving strong, secure and suitable for the materials stored on it?	✓			L	
Are items stored on the shelving correctly (i.e. no overloaded)?	✓			L	
Is furniture in good condition?	✓			L	
Is equipment in good condition (such as the coffee machines and toasters)?	✓			L	
Is equipment maintained on a regular basis?	✓			L	
Are only trained employees permitted to operate equipment?	✓			L	
Are specific risk assessments needed for equipment?		✓			
Have employees been trained in manual handling procedures?	✓			L	
Where necessary have manual handling risk assessments been conducted?	✓			L	
Is portable electrical appliance testing carried out?	✓			L	EVERY 2 YEARS

PREMISES SAFETY RISK ASSESSMENT

Suitability	Yes	No	N/A	RR	Comment/Controls
Are switches working correctly?	✓				
Are wires checked for damage (such as on toasters and kettles)?	✓				
Are plug sockets in good condition?	✓				
Are plug sockets fitted with child protectors?		✓			
Are fire doors un obstructed?	✓				
Are fire extinguishers wall or stand mounted and correctly labelled?	✓				
Are fire extinguishers inspected on an annual basis?	✓				SIX MONTHLY
Are the fire alarms tested?	✓				SIX MONTHLY
Are emergency evacuation drills conducted on a regular basis?	✓				
Does the premises accommodation provide adequate space for the occupants?			✓		
Have display screen equipment assessments been conducted?			✓		
Have employees received adequate health and safety training?	✓				
Are the stairways well lit?	✓				
Are suitable handrails fitted to the stairs?	✓				
Are there adequate sanitary facilities?	✓				
If lone working is ever carried out, is a safe system of work in place?	✓				
Are food handling procedures in place to comply with the safer food, better business format?			✓		
Have employees been taught about food hygiene procedures?			✓		
Is personal protective equipment supplied to employees?		✓			
Have employees been trained on how to wear personal protective equipment?		✓			
Are there any pregnant workers and if so has the pregnant workers assessment been conducted?			✓		
If there are any young workers has a young workers assessment been conducted?	✓				
Have employees been trained in what action to take in a confrontational situation?	✓				

PREMISES SAFETY RISK ASSESSMENT

Suitability	Yes	No	N/A	RR	Comment/Controls
Are systems in place for cash handling?	✓				
Are employees trained on how to use ladders?		✓	✓		
If steps/ladders are being used are they checked for damage before they are used and suitable for the task being carried out?	✓			✓	
Others:					

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PROCEDURE FOR CUSTOMERS WHO APPEAR TO BE INTOXICATED OR ILL

When coming across any customers who appear to be ill or intoxicated, attempt to:-

1. Try to get them to speak or say their name.
2. If no response, call the Emergency Services for them to attend immediately.
3. Register incident into Accident Book which is located in the Spirits cupboard.

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STAFF TRAINING RECORDS

I HAVE READ AND UNDERSTOOD OUR GENERAL HEALTH AND SAFETY POLICY

I HAVE BEEN SHOWN AROUND THE BUILDING AND MADE AWARE OF ALL FIRE EXITS

NAME	SIGNED	DATE
ANTHONY MOORE	<i>AM</i>	
SUSAN MOORE	<i>S Moore</i>	
Chelsea Mitchell	<i>CM</i>	
Ella Gregson	<i>e.gregson</i>	
Rachel Hellingworth	<i>R Hellingworth</i>	
Hayley Crother	<i>HC</i>	
KAREN DANSON	<i>K. Danson</i>	
ALEX OLDROYD	<i>A Oldroyd</i>	
Meghan Patterson	<i>M Patterson</i>	
Melanie Ratcliffe	<i>M Ratcliffe</i>	
DEBORAH BARRETT	<i>D Barrett</i>	
Josh Robinson	<i>J Robinson</i>	
Douel Smith	<i>D Smith</i>	

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