

Ark Tavern – objection

Additional notes

On Saturday 26th June 2021 the Ark Tavern hosted a live band outside which was granted under TEN application. Following on from this event, a complaint about noise from the event was made to Chesterfield Licensing team and the Environmental Protection team.

My colleagues Andy Daley and Steve Ashby visited Mr Singlehurst on 1st July 2021 and discussed the complaint and what is expected as part of the premises licence.

Another TEN application was granted for Saturday 10th July 2021 and on that date, I carried out noise monitoring in the vicinity of the Ark Tavern, Chesterfield. The reason I carried out noise monitoring in that area was because I was aware the Ark Tavern was hosting an outdoor live band (as part of a TEN application) and noise complaints had been received about their previous TEN/outdoor event held on 26th June 2021.

At 6:35pm I arrived and parked on Bradley Way. It was a warm evening and I would expect residents to be enjoying their gardens and/or being able to sit inside their homes with their doors and windows open.

At 6:38pm I arrived at the complainants' property. The volume of the music from the live band at the Ark Tavern was what I described in my pocket notebook as 'unbearable' and made conversation in the complainant's garden impossible.

I made recordings of the audio on the NoiseApp.

The NoiseApp is an app which we give to customers to record noise. The reason I used the NoiseApp on this occasion is because I wanted to play back the audio to my colleagues to demonstrate how loud the noise was from the event.

Noise App notes:

6:46pm, first recording. Inside car, window up. Music audible but muffled.

6:48pm, window open, inside car. Music audible.

6:53pm, in complainants garden. Live band clearly audible.

7:02pm, in complainants garden, possibly background music.

7:11pm, background music, in complainants' kitchen.

7:19pm, background music, in complainants' garden.

7:29pm, in complainants garden, lead singer heard saying 'welcome back' 'hands up who's had drugs' 'hand up who's intending to have drugs'.

7:30pm, lead singer and then music, very loud.

7:33pm, lead singer 'large southern comfort with ice'.

7:41pm, by Devonshire flats, live band continues to be audible and not masked by passing traffic.

7:43pm, by the Park on Station Road, music continues to be audible, only slightly masked by a passing vehicle.

7:46pm, Coronation Road, live band still audible.

7:55pm, in front of Ark Tavern, music audible and not masked by passing traffic.

7:59pm, Bradley Close, live band audible.

The complainant informed me that prior to my arrival someone in the band, possibly the lead singer had been heard swearing.

At approx. 7:11pm the live band had a break and during this time recorded music was audible – this was also at a volume that made conversation difficult and could clearly be heard in the complainants' house.

I used a decibel app on my phone and the loudest noise was measured at 85dB(A). This is classed as 'loud' on the loudness scale and prolonged exposure to this volume of noise can cause hearing damage.

I walked around the Brimington area and could still hear the live band on Coronation Road, near the park on Station Road, John Street and on Chesterfield Road (across the road from the Ark Tavern and the GP surgery).

At 8:09pm I returned to my car on Bradley Way and could hear the male singer with car windows closed. I left site at 8:23pm as I had other premises to visit.

The TEN event that was hosted on 10th July was only for a short duration (less than 3 hours) and the volume of music was what I described as 'unbearable'.

The application for the TEN on the 29th August 2021 is proposed for 9 hours (12pm to 9pm). The application does not indicate how many bands will be playing during this time and my concerns are regarding the proposed length of time and the potential volume of the music – based on my observation and assessment on 10th July.

Ordinarily the Environmental Protection team only object to a TEN application when enforcement action has already been exercised. However, on this occasion, as the noise levels were so loud, so unbearable and prevented the nearby residents from enjoying their homes and gardens on a warm summers evening, I have no option but to object to this application.

End of report.