

In order to assist the Licensing Committee, this review has been called to try and resolve ongoing complaints of excessive noise breakout and prevent further breaches of the prevention of public nuisance licensing objective. As the intention is to allow the club to continue operating with different forms of entertainment, controlled to reduce the noise breakout, the following conditions are recommended to be added to the operating schedule:

- 1 When music and/or vocals are being played as regulated entertainment is taking place, external doors and windows to the function room or any areas where regulated entertainment is occurring shall be kept closed, except for ingress/egress.
- 2 Section 2 of the Live Music Act 2012 as it amended section 177A of the Licensing Act 2003 shall no longer apply to this premises. This condition therefore considers live music as if:
 - (a) the live music were regulated entertainment, and
 - (b) the licence or certificate licensed the live music.
- 3 There shall be no external regulated entertainment held at the premises.

It is noted that the existing operating schedule has a condition that *'Any music and vocals at the premises shall be so controlled as to be inaudible within any neighbouring residential accommodation at all times.'* and the above recommended conditions would ensure regulated entertainment is controlled by the extant conditions.

A further condition may be considered, which would enable the club to identify how to correctly set a noise limiting device to control the music levels. It would also help identify where sound insulation should be installed, to allow an increase in internal music volumes while preventing noise breakout.

- 4 A noise assessment shall be undertaken by a suitably qualified person, submitted in writing to and approved by the Commercial Regulation team of Rugby Borough Council prior to any further events where regulated entertainment occurs. The assessment shall determine the existing background noise levels at those times of the day and week that entertainment is likely to be played. The assessment shall:
 1. identify the level of noise from entertainment associated with events that the structure can contain,
 2. provide a scheme for acoustic insulation to allow the internal levels to be raised
 3. Set suitable maximum noise levels (LAeq, T and LAF,max) not to be exceeded within the building to achieve inaudibility in any noise sensitive receptors (residential neighbours), which may require an absolute level to be set such as calculation for noise rating curve (NR) 25 with windows ajar for ventilation in the receptor location or the music noise level as an LAeq, LAF,max and octave band / third octave band to be not less than 10dB below the background LA90 dB.
 4. Identify methods for how the maximum levels shall be monitored, controlled and met.