

New Century Tipis NOMA Manchester

Noise Impact Assessment Report

31800/NIA1

22 October 2024

For:
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1.0 Introduction

Hann Tucker Associates Limited (Hann Tucker) has been commissioned to undertake a noise assessment for a temporary installation on Sadler's Yard, NOMA, Manchester.

It is proposed to install temporary 'tipi' and/or 'pagoda' structures on the site, in which a number of different community focused events are proposed to be hosted. Some examples of the proposed events are as follows:

- Community wellbeing sessions;
- Open mics or quizzes;
- dBs student sessions;
- Santa's grotto, etc.

Baseline noise conditions have been established by means of a detailed noise survey, presented herein. The findings have subsequently been used to assess the suitability of the site for its intended use. Measures required to mitigate noise impacts for the proposed development (when operational) have been discussed in context with relevant national & local planning policies, design standards and good practice guides.

2.0 Objectives

To undertake an environmental noise survey to establish the existing L_{Amax} , L_{Aeq} and L_{A90} environmental road, rail, and air traffic noise levels at selected accessible positions.

To undertake additional attended noise level measurements to establish surrounding daytime noise levels.

To establish suitable noise limits to achieve acceptable levels of noise egress at nearby noise sensitive receptors.

3.0 Acoustic Terminology

For an explanation of the acoustic terminology used in this report please refer to Appendix A enclosed.



4.0 Site Description

4.1 Location

The site is located in Sadler's Yard in the north of Manchester City Centre and is located approximately 45m from the Ring Road. The site falls within the jurisdiction of Manchester City Council. The site location in relation to the wider area is shown on the Location Map below.



Location Map (Map data ©2024 Google)

4.2 Description

The site is located in Sadler's Yard and is approximately 45 metres from the Ring Road (to the north), Hanover Street (to the south), and Corporation Street (to the west).

Sadler's Yard is surrounded by office/commercial buildings on each side, with New Century Hall to the northeast, and also probation services (Redfern Building) and Holyoake House to the east and southeast respectively. There are a number of commercial units in the immediate vicinity namely Allpress Espresso, Koi Sushi and Oriental, and Sadler's Cat pub.

To the south of the site is 3 Federation Street which houses restaurants and office businesses, and to the west and northwest is the Old Bank heritage building which also houses office spaces. The New Victoria, which is considered to be the closest residential building, is located approximately 70 metres to the northwest of the site.



The site shown in relation to its immediate surroundings is shown on the Site Plan below.



Site Plan (Imagery ©2024 Airbus, Maxar Technologies, Map data ©2024)

5.0 Proposed Development

The proposals are for the erection of a two-peaked tipi, opening onto 2no pagodas, which would house food traders in chalet structures. All of the above structures would be fixed to a water-ballasted wooden floor. The pagodas would not have walls but will be covered spaces, whereas the tipis are enclosed with wooden doors.

The proposed operation dates are between 4 November 2024 until 31 December 2024; removal of the structure is proposed for 2 January 2025.

The expected capacity of the venue is 120No people within the tipis, and 30-40 people within the 2No pagodas to the north of the site. The proposed opening times would be variable depending on the event schedule; however, it is anticipated that opening times are between 16:00-23:00 hours on Tuesday and Wednesday and between 12:00-23:00 hours on Thursday to Sunday.

The site is shown in the Plan below for reference.



Plan showing Project Proposals (c/o New Century)

6.0 Planning Policies, Standards & Guidance

6.1 Policies & Guides

All quantitative guidance used to form this noise impact assessment is taken from these standards, guidance, and Local Authority requirements as summarised below:

- Manchester City Council's "*Planning and Noise Technical Guidance*" (October 2022)
- Manchester City Council's "*Guidance on noise control from open air concerts and events*" (August 2022)
- British Standard 4142:2014 + A1:2019

Detailed information for relevant planning policies and guidance can be found within Appendix B.



6.2 Specific Local Authority Criteria

6.2.1 Published Guidance

MCC have adopted 'Planning and Noise Technical Guidance' (PNTG), issued in October 2022 which provides planning guidance on matters relation to noise and vibration.

Section 3.7.1.2 of PNTG states the following with respect to entertainment venues.

'Entertainment noise ($L_{Aeq,5min}$) should be controlled to 5 dB below the typical background noise level (L_{A90}) in each octave band at the nearest noise sensitive location'.

Section 3.7.1.5 of PNTG states the following with respect to industrial noise and commercial developments.

'The development should be designed so as to achieve a rating level of 5 dB (L_{Aeq}) below the typical background (L_{A90}) level at the nearest noise sensitive location.'

Manchester City Council's 'Guidance on noise control from open air concerts and events' (August 2022) draws on guidance from the documents in Appendices B2 to B4 in regard music noise egress from outdoor events.

Manchester City Council has Guidance relating to ad-hoc open-air events as set out in "Guidance on noise control for open air concerts and events" document dated August 2022. The document allows relaxed limits for up to 12No events per year held between the hours of 09:00 and 23:00. However, the document states that "*certain venues in the City may have site specific factors that will mean they fall outside of the above guidelines. The noise control strategy should be agreed in advance with the City Council's Events Unit.*"

Based on the above, relaxed noise limits may be acceptable for up to 12No ad-hoc events, however, each event will need to be agreed with Manchester City Council's Events Unit.

6.2.2 Liaison with the Local Authority

Manchester City Council's Environmental Health Team has been contacted regarding the project, namely regarding agreeing bespoke criteria due to the proximity of the nearby offices.



An agreed approach was not determined, however, MCC could “possibly look to agree a slightly relaxed criteria for daytime at the offices but we would need to see the assessment and take a view based on the results before we can agree actual level and if we consider that acceptable levels cannot be achieved then the proposals might not be viable”.

As such, the assessment will consider levels that Hann Tucker propose are suitable with reference to the existing conditions of the site and the temporary nature of the development.

7.0 Baseline Noise Survey

7.1 Procedure

Fully automated environmental noise monitoring was undertaken by Euan Ellis BEng (Hons) from approximately 13:00 hours on Friday 16 August 2024 to 08:45 hours on Tuesday 20 August 2024, to establish full daytime and night-time noise levels over a typical weekday and weekend period. Measurements were taken continuously of the A-weighted (dBA) L_{90} , L_{eq} , and L_{max} sound pressure levels over discrete 2 and 15-minute periods.

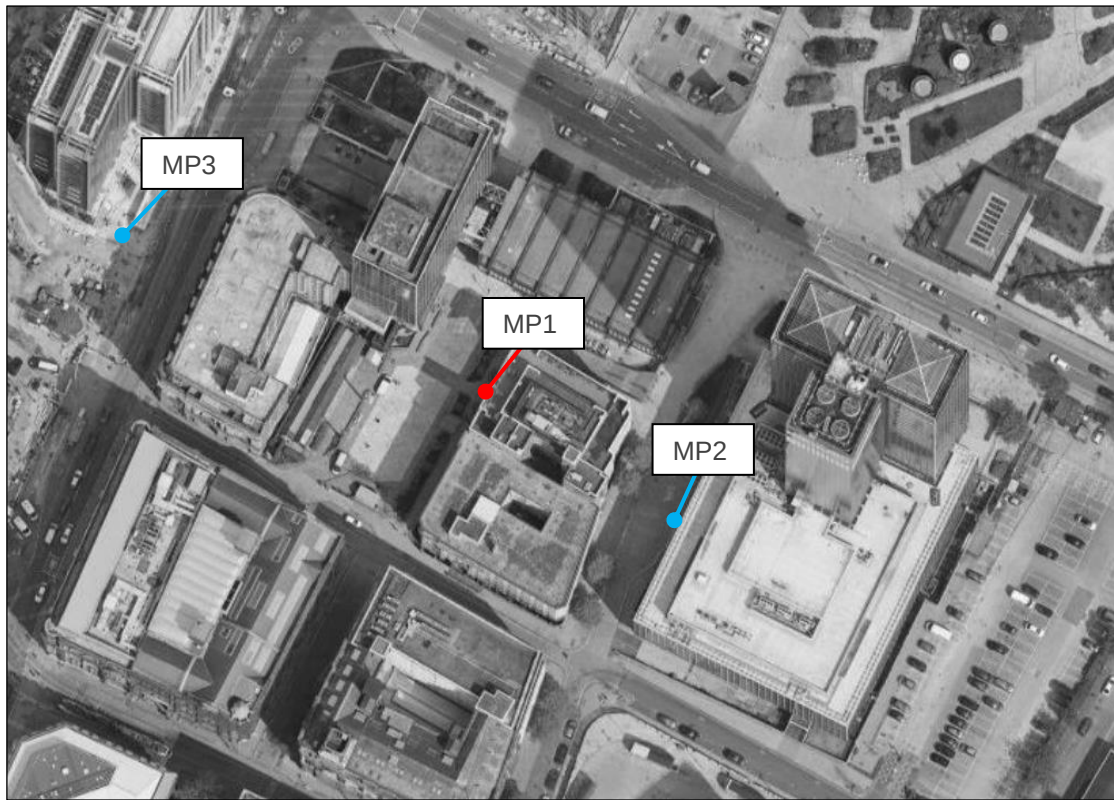
Additional attended measurements were performed between 13:00 hours and 14:45 hours on Friday 16 August 2024 with the purpose of establishing specific noise levels at nearby sensitive receptors.

7.2 Measurement Positions

The noise level measurements were undertaken at 3no positions as described in the table overleaf.

Position	Type	Description
1	Unattended	To the centre of the site, approx. 15m from the nearside edge of Hanover Street. Microphone in free-field conditions approx. 3m above ground.
2	Attended	Located on Dantzic Street to the east of the site, approx. 44m from the nearside edge of Hanover Street. Microphone in free-field conditions approx. 1.5m above ground.
3	Attended	Located to the northwest of the site at the boundary of the New Victoria residential building, approx. 8m from the nearside edge of Hanover Street. Microphone in free-field conditions approx. 1.5m above ground.

The positions are shown on the plan below.



Site Plan (Imagery ©2024 Airbus, Maxar Technologies, Map data ©2024)

7.3 Weather Conditions

For the unattended survey between Friday 16 August 2024 and Tuesday 20 August 2024, local weather reports indicated no notable periods of heavy rainfall, with temperatures ranging from 10 °C (night) to 19 °C (day) and wind speeds less than 5 m/s. During our time on site, skies were largely clear with patchy cloud cover, wind conditions were calm and from a southerly direction, and road surfaces were largely dry.

During the attended survey on Friday 16 August 2024, the weather was generally clear and dry with no periods of rainfall and light wind conditions.

7.4 Instrumentation

The instrumentation used during the survey is presented in the table below:

Position	Description	Manufacturer	Type	Serial Number	Calibration
1	Type 1 Data Logging Sound Level Meter	Larson Davis	824	4074	Calibration on 26/05/2024
	SLM Calibrator		Cal200	3083	27/03/2024



Position	Description	Manufacturer	Type	Serial Number	Calibration
2 & 3	Type 1 Data Logging Sound Level Meter	Brüel & Kjær	2250	3025254	Calibration on 21/02/2024
	Type 1 ½" Condenser Microphone	Brüel & Kjær	4189	3004879	Calibration on 21/02/2024
	Type 1 Preamp	Brüel & Kjær	ZC0032	28066	Calibration on 21/02/2024
	SLM Calibrator	Brüel & Kjær	4231	2115545	Calibration on 28/11/2023

Each sound level meter, including the extension cable, was calibrated prior to and on completion of the surveys. No significant changes were found to have occurred (no more than 0.3 dB).

Each sound level meter was located in an environmental case with the microphone connected to the sound level meter via an extension cable. Each microphone was fitted with a windshield.

7.5 Results

The results have been plotted on Time History Graph 31800/TH1 enclosed presenting the 15-minute A-weighted (dBA) L_{90} , L_{eq} and L_{max} levels at each measurement position throughout the duration of the survey.

A summary of the results, as used to inform subsequent assessments against current guidelines, is presented in the table below. The daytime $L_{Aeq(12\text{-hour})}$ (07:00-19:00 hours), evening $L_{Aeq(4\text{-hour})}$ (19:00-23:00 hours), and night-time $L_{Aeq(8\text{-hour})}$ (23:00-07:00 hours) levels have been calculated from the measured $L_{Aeq(15\text{-minute})}$ noise levels and converted into single figure. The L_{A90} values presented are the 'representative' levels determined through statistical analysis of the 15-minute readings in line with BS 4142.

Position	Date	Daytime (07:00 – 19:00 hrs)		Evening (19:00 – 23:00 hrs)		Night-time (23:00 – 07:00 hrs)	
		$L_{Aeq,12hr}$	Typical L_{A90}	$L_{Aeq,4hr}$	Typical L_{A90}	$L_{Aeq,8hr}$	Typical L_{A90}
1	16/08/2024	64	49	67	49	63	43
	17/08/2024	61		59		53	
	18/08/2024	57		55		50	
	19/08/2024	60		63		55	



The following table details the typical measured L_{Aeq} spectra for day, evening, and night. The levels displayed were captured on Monday and as such deemed to be a “worst-case” scenario as the levels measured on Friday were significantly louder, assumedly from the bar opposite Measurement Position 1 on Sadler’s Yard.

Description	Measured L_{eq} (dB) at each Octave-Band Centre Frequency (Hz)							
	63	125	250	500	1000	2000	4000	8000
Typical Daytime	62	59	53	53	52	46	39	30
Typical Evening	63	62	59	65	64	58	51	39
Typical Night-time	64	54	49	47	51	52	38	27

The following table details the typical measured L_{90} spectrums for day, evening, and night.

Description	Measured L_{90} (dB) at each Octave-Band Centre Frequency (Hz)							
	63	125	250	500	1000	2000	4000	8000
Typical Daytime	54	53	46	45	45	39	32	23
Typical Evening	51	47	44	44	43	36	29	21
Typical Night-time	52	44	41	39	38	31	24	20

The following table summarises noise levels recorded at each of the attended measurement positions.

Position	Date	Period	Sound Pressure Level (dB)		
			L _{Aeq,T}	L _{A90,T}	L _{Amax,T}
2	16/08/2024	13:30-13:45	69	56	82
		14:30-14:45	68	58	80
3		13:00-13:15	61	54	72
		14:00-14:15	60	53	73

7.6 Discussion of Noise Climate

Due to the nature of the survey, i.e. unattended, it is not possible to accurately describe the dominant noise sources, or specific noise events throughout the entire survey period. However, at the beginning and end of the survey period the noise climate was noted to be dominated by pedestrian chatter on Sadler’s Yard itself and road traffic noise.



It was not possible to install the unattended monitoring equipment at the residential location and as such the above levels measured in Measurement Position 3 have been used to establish the L_{A90} at the residential receptor.

8.0 Operational Noise Impacts

8.1 Establishing Suitable Criteria

As the noise sensitive premises directly adjacent to the site are offices it is assumed that these premises will be sensitive during typical office hours during the week (i.e. 07:00-19:00). During the weekend and evenings during the week, the most affected noise sensitive premises would be New Victoria, a residential building located 70 metres to the northwest of the site.

Based on the above, the following table sets out the relevant noise sensitive receptors during each time period.

Time Period	Noise Sensitive Receptors
Weekday (07:00-19:00)	Adjacent Offices and New Victoria
Weekend Day (07:00-19:00)	New Victoria
Evening (19:00-23:00)	New Victoria
Night (23:00-07:00)	Site Not Operating

8.1.1 Weekday Daytime Criteria (Office Receptor)

Based on the proximity of the nearby office premises, achieving the typical requirements of Manchester City Council is unlikely feasible. For example, to comply with a noise limit that is 5 dBA below the typical L_{A90} during the weekday at the offices (i.e. 44 dBA) the noise level at 1m externally from the Tipi could not exceed in the region of 55 dBA which is unlikely feasible given that human speech is typically above this level and the Tipis are lightweight and would not provide a significant amount of sound insulation, albeit they would provide some.



Furthermore, Sadler's Yard is an existing amenity space with two adjacent bars where people already congregate, and it is likely that the public's presence on the site already exceeds the typical background noise level during periods of high occupancy. Based on the above and that the installations are temporary in nature and for the benefit of the local community; it is proposed to set the typical noise egress limit for the daytime so as to not exceed the measured ambient noise level at the nearby offices, rather than achieve 5 dB below the background noise level.

As such, the suggested weekday day-time criteria to be achieved at the offices during typical operations is set out below given as free-field noise levels:

Proposed Typical Daytime $L_{eq, 5min}$ (dB) Criteria (07:00 – 19:00) at 1-metre from the Noise Sensitive Façade in each Octave-Band Centre Frequency (Hz)								dBA
63	125	250	500	1000	2000	4000	8000	
62	59	53	53	52	46	39	30	56

The above is the suggested proposed approach for the typical daytime noise from the site, however, in-line with MCC guidelines temporary noise egress levels are relaxed for venues that have between 4No and 12no events a year. This relaxation is to achieve noise levels at are no more than 15 dB above the background noise level at the nearby noise sensitive premises. As such, the venue may be able to exceed the measured background noise level by 15 dBA for up to 12No events during the period of operation, subject to MCC approval, considering the previously proposed criterion. As such, the suggested day-time criteria to be achieved at the offices **during an event** is set out below is set out below given as free-field noise levels:

Location	Proposed "Event" Daytime $L_{Aeq, 15min}$ (dB) Criteria (07:00 – 19:00) at 1-metre from the Noise Sensitive Façade
Offices	64

8.1.2 Weekend Daytime & Evening criteria (Residential Receptor)

During the evening, the offices are no longer noise sensitive and New Victoria becomes the most affected noise sensitive premises. As this is a residential dwelling which is unlikely to be already impacted by existing noise from Sadler's yard, the typical approach should be to limit the levels of noise egress to 5 dBA below the existing background noise level in-line with Manchester City Councils guidance.

However, as New Victoria is essentially a new receptor for the evening and night, the venue may be able to exceed the measured background noise level by 15 dBA for up to 12No pre-agreed evening events (i.e. up to 23:00) during the period of operation subject to MCC approval.



Based on the above, the typical operational proposed limits for the evening and night-time operation of the development are as follows given as free-field levels:

Activity	Period	Proposed Sound Pressure Level Criteria at 1-metre from New Victoria Façade ($L_{eq,5min}$ dB) for Typical Activities							
		63	125	250	500	1000	2000	4000	8000
Typical	Weekend Day (07:00-19:00)	53	49	46	46	45	38	31	22
	Evening (19:00-23:00)	53	49	46	46	45	38	31	22

The proposed limits for up to 12No evening events, subject to MCC approval, are presented below given as free-field noise levels.

Location	Proposed Evening “Event” $L_{Aeq, 15min}$ (dB) Criteria (19:00 – 23:00) at 1-metre from the Noise Sensitive Façade
Residential	69

8.2 Assessment of Entertainment and Events Noise

Based on the results of the noise survey, subsequent noise model (in CadnaA), and the proposed criteria set out in Section 8.1.1 and Section 8.1.2, we propose that the following entertainment noise emission criteria should be achieved incident at 1-metre externally from the tipis in free-field conditions, during each specified period outlined below. Please note, there are no evening or night-time criteria for the office spaces as they are assumed to be vacant outside of normal office hours.

Activity Type	Period	Proposed Sound Pressure Level Limit at 1-metre from Tipis ($L_{eq,5min}$ dB)							
		63	125	250	500	1000	2000	4000	8000
Typical	Weekday	65	61	55	55	54	48	42	33
	Weekend Day & Evening	81	76	72	73	72	65	62	64
Up to 12No Events ¹	Weekday	83	74	63	62	62	56	49	41
	Weekend Day & Evening	101	96	92	93	92	85	82	84

1 - Although the relaxed criterion is given in single figure value, these octave band levels are an example source noise levels that could comply with the limit at the receptor.

The noise levels set out above need to be provided with context as to the type of events the above noise levels could accommodate considering a small amount of attenuation provided by the tipi/pagoda structures. This context is provided below:



Activity Type	Period	Possible Activities to Comply with Noise Limits
Typical	Weekday	Small community events with no to little music
	Weekend Day & Evening	Busy bar with background music
Up to 12No Events	Weekday	Community events with no music, Small gatherings with no to little background music
	Weekend Day & Evening	Live music possible with suitable noise limiter installed

The above are examples of what Hann Tucker believe could be accommodated based on the proposed noise limits. However, the allowable internal noise levels in the structures would need to be commissioned on site. The Operational Management Plan for the proposed installation states that *“while we will be playing recorded and live music, this is intended to be ‘background’ and not the focus of any of our events. We will not be putting on ‘gigs’, and as such we can maintain a suitable level of audio throughout our events programme.”* As such, it may be possible to achieve the proposed limits through suitable timetabling of events, however, the weekday-time noise levels for both typical and “event” activities are stringent and would need to be carefully considered.

9.0 Noise Management Plan

9.1 Overview

It is understood that MCC has requested a noise management plan should be prepared and followed. Procedures outlined below have been successfully implemented at city centre events over as well as other outdoor events across the UK.

As such, careful consideration will be given to following a noise management programme during operation of the tipis to minimise the impact noise may have on the surrounding area whilst maintaining viable noise levels within the arena.

9.2 Use of Noise Limiters

To ensure compliance with noise limits established in Section 8.2, electronic sound limiters will be installed within the tipis. These devices automatically control and limit the output of amplified sound, preventing noise levels from exceeding a predetermined thresholds as established in Section 8.2.

The sound limiter will be connected to all amplified audio equipment, including PA systems and background music sources. The limiter will monitor real-time sound levels and reduce output if the noise approaches the set limits.



The limiter will be installed by reputable persons and shall be calibrated such that noise levels at 1m from the external façade of the tipis does not exceed the levels given in Section 8.2.

It is recommended that the noise monitoring device should be positioned at high level, suspended centrally within the development to capture both direct and reverberant noise levels. Locations in close proximity to a loudspeaker, or where the limiter can be touched by patrons, should be avoided.

9.3 Sound Systems

The sound system provide should be suitable for the size of the events and should be suitable specified based on the size of the venue with directional speaker systems used where possible.

The company providing the sound system should be fully informed of the noise level restrictions imposed on the site.

The sound system should be selected in such a way to allow for suitable coverage of the audience area whilst also minimising the amount of music noise propagating into the surrounding area. This could be achieved by providing directional loudspeakers.

9.4 Operational Hours

The operation of the site should not extend past 23:00 or begin before 07:00 as agreed with MCC.

9.5 Preparations Before Operation

Provide nearby residents and businesses with details about the event, including start and end times, contact numbers for complaints. A direct means of communication should be set up between all parties involved during the operation of the site. This should include but is not limited to, a designated person at New Century to act as a public liaison officer should any complaints be received.

A telephone complaints line should be made available for the duration the site is operational. Should any noise complaints be received, an acoustic consultant should investigate the complaint and if noise levels are above those specified in the license/planning conditions, immediate action would be taken to reduce the levels at the noise source.

A complaints log should be maintained throughout the time the site is operating, detailing addresses of complaints, times and actions taken.



The proposed means of communications between all parties and should be reviewed and agreed with the local authority. All established communication channels should be effective and responsive and maintained between all relevant parties.

10.0 Plant Noise

The Operational Management Plan for the proposed installation states the following with regards to power requirements:

“Sadlers Yard features numerous electricity and water points which we will be able to use to power our operations. The chalets we are using for our food and bar operation come with built in power, so they will just need to be tapped into the mains using one of the numerous points dotted around the yard. We don’t foresee any need for generators.”

As generators are unlikely required the amount of plant noise being emitted from the site would be minimal.

11.0 Conclusions

A detailed environmental noise survey has been undertaken in order to establish the currently prevailing environmental noise climate around the site.

The environmental noise impact upon the proposed dwellings has been assessed in the context of building regulations, and national and local planning policies.

Appropriate target entertainment noise levels have been proposed in line with the policies detailed in Section 6.2. These are achievable by good planning of event times by the management team and also by employing a noise management plan which can be ensured by on-site monitoring by a sound engineer.

The assessment shows the site, subject to noise management measures and event planning, is suitable for hosting events in terms of noise.

Appendix A

Acoustic Terminology

The acoustic terms used in this report are defined as follows:

dB Decibel - Used as a measurement of sound level. Decibels are not an absolute unit of measurement but an expression of ratio between two quantities expressed in logarithmic form. The relationships between Decibel levels do not work in the same way that non-logarithmic (linear) numbers work (e.g. $30\text{dB} + 30\text{dB} = 33\text{dB}$, not 60dB).

dBA The human ear is more susceptible to mid-frequency noise than the high and low frequencies. The 'A'-weighting scale approximates this response and allows sound levels to be expressed as an overall single figure value in dBA. The _A subscript is applied to an acoustical parameter to indicate the stated noise level is A-weighted

It should be noted that levels in dBA do not have a linear relationship to each other; for similar noises, a change in noise level of 10dBA represents a doubling or halving of subjective loudness. A change of 3dBA is just perceptible.

L_{90,T} L₉₀ is the noise level exceeded for 90% of the period *T* (i.e. the quietest 10% of the measurement) and is often used to describe the background noise level.

L_{eq,T} L_{eq,T} is the equivalent continuous sound pressure level. It is an average of the total sound energy measured over a specified time period, *T*.

L_{max} L_{max} is the maximum sound pressure level recorded over the period stated. L_{max} is sometimes used in assessing environmental noise where occasional loud noises occur, which may have little effect on the L_{eq} noise level.

L_p Sound Pressure Level (SPL) is the sound pressure relative to a standard reference pressure of 2×10^{-5} Pa. This level varies for a given source according to a number of factors (including but not limited to: distance from the source; positioning; screening and meteorological effects).

L_w Sound Power Level (SWL) is the total amount of sound energy inherent in a particular sound source, independent of its environment. It is a logarithmic measure of the sound power in comparison to a specified reference level (usually 10^{-12} W).

Appendix B

Planning Policies, Standards & Guidance

B.1 British Standard 4142:2014 + A1:2019

When setting plant noise emission criteria reference is commonly made to BS 4142:2014 *“Methods for rating and assessing industrial and commercial sound”*.

The procedure contained in BS 4142:2014 provides an assessment of the likely effects of sound on people when comparing the specific noise levels from the source with representative background noise levels. Where the noise contains “a tone, impulse or other characteristic” then various corrections can be added to the specific (source) noise level to obtain the “rating level”.

BS 4142 states that: *“The significance of sound of an industrial and/or commercial nature depends upon both the margin by which the rating level of the specific sound source exceeds the background sound level and the context in which the sound occurs”*. An estimation of the impact of the specific noise can be obtained by the difference of the rating noise level and the background noise level and considering the following:

- *“Typically, the greater this difference, the greater the magnitude of the impact.”*
- *“A difference of around +10dB or more is likely to be an indication of a significant adverse impact, depending on the context.”*
- *“A difference of around +5dB is likely to be an indication of an adverse impact, depending on the context.”*
- *“The lower the rating level is relative to the measured background sound level, the less likely it is that the specific sound source will have an adverse impact or a significant adverse impact. Where the rating level does not exceed the background sound level, this is an indication of the specific sound source having a low impact, depending on the context.”*

The determination of the “rating level” and the “background level” are both open to interpretation, depending on the context.

B.2 Licensing Act 2003

The latest revision of the licensing act for England and Wales emphasises the need to minimise disturbance and annoyance to the local community whilst also encouraging local authorities to promote cultural activity in their communities.

The s182 Guidance to the Licensing Act is as follows:

“The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of the persons living and working in the area of the licensed premises.

...Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music...”

B.3 Environmental Protection Act 1990

Where it is established that noise from an event is causing, or is likely to cause, a statutory nuisance under Part III of the Environmental Protection Act 1990, the Council is required to serve an Abatement Notice, requiring that the nuisance is abated. It is a criminal offence not to comply with such a notice and may result in prosecution with a maximum penalty on conviction of an unlimited fine. It is therefore important that effective noise control procedures are implemented.

The Council's Enforcement Policy states that enforcement notices will be served where it is considered that a more informal approach would be ineffective. It also allows for Abatement Notices to be served without prior discussion with the prospective recipient in cases where immediate action is required in the interest of environmental protection.

B.4 Noise Council's Code of Practice on Environmental Noise Control at Concerts (1995)

The national Code of Practice was issued by the Noise Council in 1995 and is the most up to date and thorough guidance on the control of noise from outdoor concerts. It provides guidelines for noise levels and a noise control procedure to minimise any disturbance caused. It should be noted that compliance with the Code of Practice does not, of itself, confer immunity from legal obligations. It suggests that, if the event is to continue after 23:00 hours, music noise should be 'inaudible' within noise sensitive properties.

The recommended noise limits in the Code of Practice for events operating between 09:00 hours and 23:00 hours have been adopted by MCC with successful implementation at the many different external music venues across the city. These are as follows.

Concert days per calendar year, per venue	Venue	Guideline
1 to 3	Urban stadia or arenas	The MNL should not exceed 75dB LAeq, 15min
1 to 3	Other urban & rural venues	The MNL should not exceed 65dB LAeq, 15min
4 to 12	All venues	The MNL should not exceed the background noise level by more than 15dB(A) over a 15 minute period

MCC's guidance also states that for specific premises or bespoke events that the following points should be followed in lieu of the above Code of Practice guidelines.

1. If the event site already holds a Premises Licence (PL) then any proposed activities will be restricted to the terms and conditions of the PL. For example, venues such as Heaton Park and the Etihad stadium have specific conditions in relation to a prescribed limit attached to the PL.
2. Certain venues in the City may have site specific factors that will mean they fall outside of the above guidelines. The noise control strategy should be agreed in advance with the City Council's Events Unit.
3. For events continuing or held between the hours 23:00 and 09:00 the music noise should not be audible within noise sensitive properties with windows open in a typical manner for ventilation. Control can be exercised in this situation by limiting the music noise so that it is just audible outside the noise sensitive premises. When that is achieved it can be assumed that the music noise is not audible inside the noise sensitive premises.
4. Please refer to the Code of Practice (1995) for assessments relating to the background noise level.

If the above guidance was solely relied upon criteria for the events would likely be for the Music Noise Level to not exceed the background noise level by more than 15 dBA in any 15 minutes. This criterion is likely unachievable for a city centre development such as this and historical dialogue with MCC has yielded bespoke criteria to be achieved.

Appendix C

Time History Graphs

New Century Tipis

Position 1

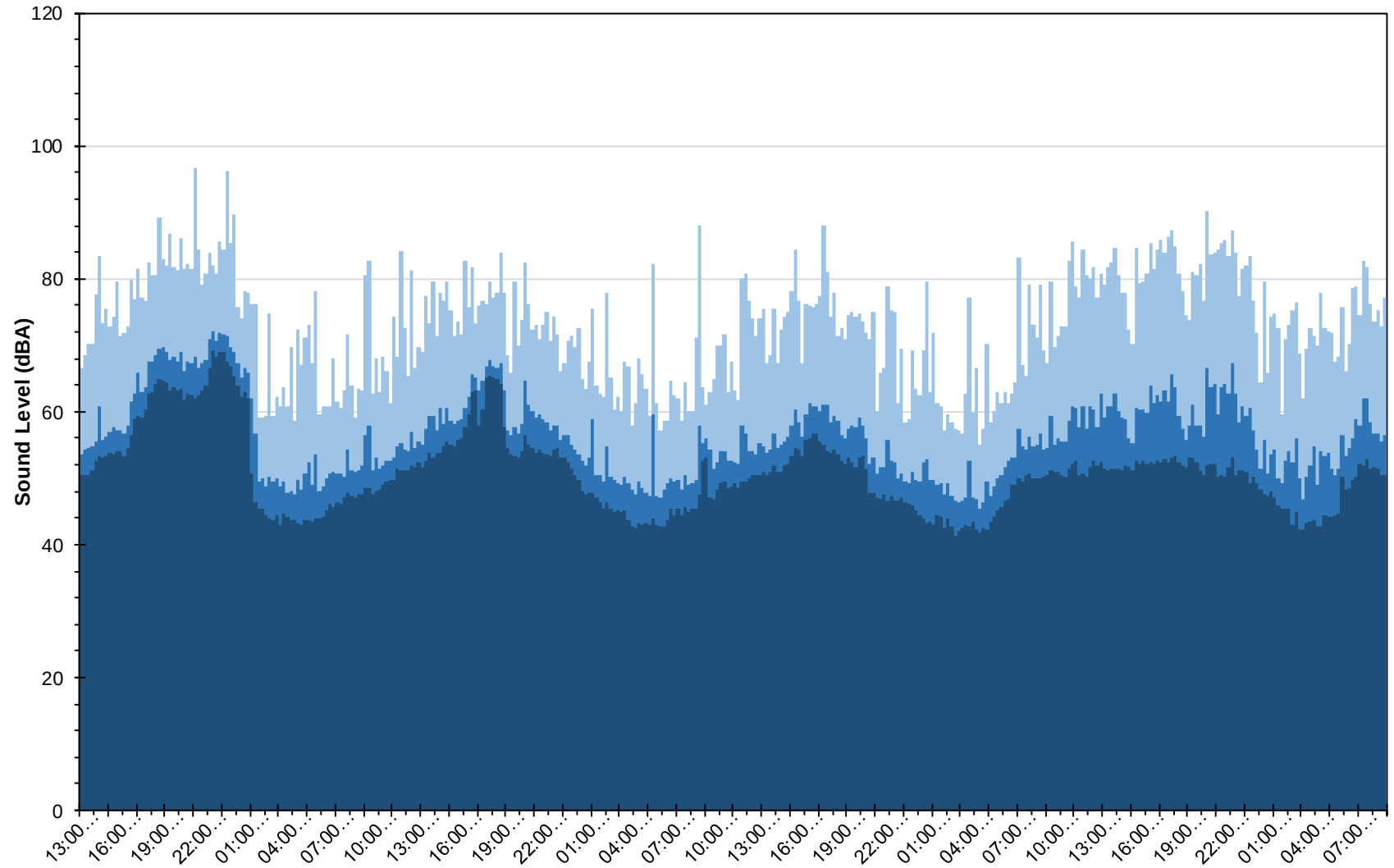
L_{eq} , L_{max} and L_{90} Noise Levels

Friday 16 August 2024 to Tuesday 20 August 2024

LAmax

LAeq

LA90



Date and Time

31800/TH1