

Wednesday, 24 June 2026

STATUTORY LICENSING SUB-COMMITTEE

A meeting of **Statutory Licensing Sub-Committee** will be held on

Thursday, 2 July 2026

commencing at **9.30 am**

The meeting will be held in the Banking Hall, Castle Circus entrance on the left corner of the Town Hall, Castle Circus, Torquay, TQ1 3DR

Members of the Committee

Councillor

Councillor Douglas-Dunbar

Councillor Barbara Lewis

Councillor Virdee

A Healthy, Happy and Prosperous Torbay

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, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

STATUTORY LICENSING SUB-COMMITTEE AGENDA

5. **Application for the Grant of a Premises Licence in respect of Torbay Showground, Brixham Road, Paignton, TQ4 7BH.** (Pages 3 - 6)
To consider and determine an application for a new Premises Licence in respect of Torbay Showground, Brixham Road, Paignton, TQ4 7BH.

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Licensing Sub-Committee
Torbay Council
Licensing & Public Protection
Community Safety
Town Hall
Castle Circus
Torquay
TQ1 3DR

Date: 01 July 2026
Reference: 209-00-00

Dear Sir or Madam

Premises Licence application 20012427, Torbay Showground, Brixham Road, Paignton, TQ4 7BH – acoustic support

We write in connection with Torbay Showground Ltd's application for a premises licence at Torbay Showground, Brixham Road, Paignton, ahead of the Licensing Sub-Committee hearing on 2 July 2026. ACT Acoustics Ltd is the acoustic consultancy retained by the applicant. The lead consultant is Mike Wood, who has 20 years' experience in acoustics and live music events and has led ACT Acoustics since 2017. We have prepared and issued the Music Noise Management Plan (NMP) for the site (version 1.2, 29 April 2026) that accompanies the application.

The purpose of this letter is to summarise the acoustic case in support of the "prevention of public nuisance" licensing objective and to respond to the acoustic matters raised in the representations, in particular the Environmental Health Officer's representation of 24 May 2026.

Our aims for regulated events at the site

The NMP is designed to deliver three aims at every event:

- a successful and enjoyable event for attendees;
- minimum disturbance to nearby residents;
- compliance with the Noise Council's *Code of Practice on Environmental Noise Control at Concerts* (1995), covering both the overall Music Noise Level (MNL) and low-frequency noise (LFN).

How the Noise Management Plan delivers these aims

The NMP applies five controls to every regulated event:

- Planning – directional speaker selection and a stage position set by noise modelling, so that sound is projected away from the nearest noise-sensitive locations rather than towards them.

- Pre-event sound check – a Class 1 sound level meter is used to verify the target level at each monitoring position, and the corresponding level is then set at the Front-of-House (FOH) mixing desk before the event opens.
- During the event – continuous monitoring at the monitoring positions, with immediate feedback to the sound engineer. The philosophy is to *prevent* exceedances rather than react to them after the fact.
- Hotline – a published resident hotline for the duration of every event. Any complaint is answered by attending the complainant, measuring the level at the property, and, if the level is above the target, correcting the level at the desk and re-measuring. Every complaint, level and action is logged.
- Post-event report – a written report to Torbay Council after each event, covering measured levels, complaints received, and any corrective action taken.

These controls are set out in full in the adopted NMP (version 1.2), and together they form a closed-loop management system rather than a reliance on a single number.

Response to the Environmental Health representation

The Environmental Health Officer (EHO) makes two principal acoustic points, which we address in turn.

The applicable Music Noise Level (MNL)

The EHO notes that the proposed condition of four events per year with up to two consecutive days per event places the site in the “4 to 12 concert days” tier of Table 1 of the Noise Council Code, for which the recommended MNL is background + 15 dB(A) over a 15-minute period, rather than the flat 65 dB(A) tier used in the NMP. We accept this reading of the Code.

Our position is that both criteria can be delivered by the same NMP:

- Our first aim is to demonstrate that 65 dB(A) LAeq,15min at 1 m from the facade of the nearest noise-sensitive property (the value that the NMP is currently drafted around) can be achieved reliably at this site.
- The same five-step management system (planning, pre-event sound check, monitoring with feedback, hotline, post-event report) will deliver a background + 15 dB(A) limit if the Sub-Committee prefers that value as a condition of the licence. In practice, the target set at the FOH desk on the day is simply reduced to whichever is the lower of 65 dB(A) or background + 15 dB(A), measured at the pre-event sound check on the day of each event.

The single-number limit sets the target. The management system is what actually delivers it, and it operates identically whichever number the Sub-Committee adopts.

Audibility inside residential properties (condition 5)

The EHO raises a concern that 65 dB(A) at 1 m from the facade will be audible inside residential properties with windows open for normal ventilation, and that this is in tension with condition 5 of the operating schedule:

- First, condition 5 refers to noise that “unreasonably” disturbs; it does not treat any audibility as automatic nuisance, and the Environmental Protection Act 1990 test likewise turns on unreasonable interference.
- Second, the NMP includes a separate 70 dB LFN limit alongside the MNL, monitored at the same positions.

The combination of the MNL limit, the LFN limit, the pre-event sound check, and the continuous in-event monitoring gives the sound engineer the information and the authority to reduce level immediately if the character of the sound at the boundary is causing concern, whether or not the numerical MNL is met. This is the mechanism by which condition 5 is delivered in practice.

The March 2026 funfair

The EHO cites 25 complaints received during the travelling funfair that operated at the site in March 2026. That funfair was not a regulated licensable event, was not operated by the applicant under the proposed premises licence, and had no NMP in place (as far as we are aware). The complaints therefore do not evidence the performance of the NMP that would apply to the regulated events proposed by this

application; if anything, they evidence why a formal NMP, backed by a hotline and a post-event report, is the right response.

Response to the resident representations

We have read the 28 resident representations. The recurring acoustic themes are: audibility of music inside dwellings, low-frequency bass, disturbance to garden use, disturbance to sleep (particularly for shift workers and young children), and the cumulative impact of repeated events across the season.

Each of these themes maps directly onto a control in the NMP:

- audibility and low-frequency bass are addressed by the paired MNL and 70 dB LFN limits, verified at each monitoring position at the pre-event sound check and maintained by continuous monitoring during the event;
- garden use and sleep disturbance are addressed by regulated entertainment being restricted to daytime and early-evening hours by the operating schedule, and by the same limits applying to both facade and garden-facing monitoring positions;
- cumulative impact is addressed by the four-events-per-year cap in the proposed condition, and by the post-event report to Council after each event, which makes cumulative performance visible.

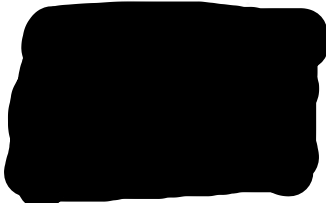
The hotline provides a real-time route for any resident whose experience on the night is not consistent with the design intent of the NMP.

Conclusion

The Noise Management Plan is a “closed-loop” management system. It is designed to deliver the “prevention of public nuisance” licensing objective under either the 65 dB(A) tier that the NMP is currently drafted around or the background + 15 dB(A) tier that the EHO identifies as strictly applicable, and to respond in real time to any complaint that arises.

For these reasons we consider that the application, operated under the NMP, is capable of meeting the licensing objective. Mike Wood will attend the Sub-Committee hearing on 2 July 2026 to answer any technical questions on the NMP or on this letter.

Yours faithfully



Mike Wood PhD MIOA
Director, ACT Acoustics Ltd.

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