Below Decks, 3–4 Beacon Quay, Torquay, TQ1 2BG

Expert Report: Premises Licence Review Noise Assessment

for

Bold Ayres Ltd

ACT Acoustics

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Document information

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Version history

Version	Issued by	Date	Comments
3.0	Mike Wood	25 Nov 2026	Corrections on music timing.
2.0	Mike Wood	25 Nov 2026	Minor update following client comments
1.0	Mike Wood	25 Nov 2026	First issue

Summary

This report is addressed to the Licensing Sub-Committee of Torbay Council. It has been prepared for the hearing on 3 December 2026 of the application to review the premises licence for Below Decks, 3–4 Beacon Quay, Torquay (the venue). Our duty in preparing it is to the Sub-Committee, not to the party who instructed us.

We were instructed by Wollens, solicitors for Bold Ayres Ltd, the licence holder, to give an independent opinion on noise from the premises. In particular, we were asked to consider noise from music, both indoors and on the outside deck, against the noise condition on the licence.

To do this, we have:

- read the review application, the licence and the other documents listed in the appendix;
- visited the premises on 23 November 2026, to familiarise ourselves with the site location;
- modelled the potential music noise egress, using typical music levels, to determine whether or not reasonable limits can be achieved that balance local amenity and entertainment at the venue; and
- assessed the results against the wording of the licence condition.

Outdoor events take place at the venue between May and September, so it was not possible to measure the sound from them before the hearing. We have instead modelled it, assuming downwind conditions favourable to sound travelling towards the neighbouring locations, in accordance with ISO 9613-2.

The results of our assessment show that reasonable sound levels can be achieved that balance entertainment and local amenity. We have set out our recommendations for the management of noise in this report. We would invite the Sub-Committee to consider these recommendations should they be minded to grant the continuation of the existing premises licence.

1 Introduction

1.1 Site address

Below Decks, 3–4 Beacon Quay, Torquay, Devon, TQ1 2BG.

1.2 The premises

Below Decks is a restaurant and bar on Beacon Quay, at the edge of Torquay harbour. Bold Ayres Ltd holds the existing premises licence PL0019.

The premises are on one floor, beneath a concrete car park. Outside there is a covered seating area, which the licence holder and the council refer to as “the Deck”. Live and recorded music is played inside this glass housing, with bands or duos, and outside from a DJ position at the rear of the covered seating area. The roadway on Beacon Quay runs between the building and the Deck, and gives vehicle access to the pier and slipway.

We visited the premises on the morning of Monday 23 November 2026. The description below comes from the photographs and notes taken on that visit. Further photographs are provided in the appendix.

The restaurant and bar is on the ground floor of the building on Beacon Quay, with the car park above. Other businesses occupy the units next to it. The frontage to the quay is glazed, with a glazed door and a set of folding doors that open onto tables outside.



Figure 1 — Below Decks from Beacon Quay



Figure 2 — Inside the restaurant and bar

The Deck is on the harbour side of the roadway and has two parts. The first is an enclosed seating area, with full-height glazed screens on a light frame and a profiled metal roof. The second, next to it, is an open deck with a louvred roof on four posts and no walls above the balustrade.



Figure 3 — The Deck building from Beacon Quay



Figure 4 — Inside the Deck building



Figure 5 — The open deck

We understand that during the summer months, DJs and bands play in any of three places: on the open deck, inside the Deck building, or inside the restaurant.

1.3 The music programme

We understand that the music programme is as follows:

- **The indoor programme, all year.** Open mic, karaoke, solo performers and bands play in the band area inside the restaurant, generally on Mondays, Tuesdays, Wednesdays, Fridays, Saturdays and Sundays. In winter all music is indoors, with the doors closed. Performers usually bring their own amplification. Staff regularly check the sound at the monitoring locations.
- **Regular live music in summer.** The indoor programme continues, but some events take place outside or are directed towards the Deck. Live music is played on the Deck on Wednesdays, Fridays and Saturdays. On Sundays it is played just inside the restaurant doorway, facing outwards. These events finish at or before 22:00.
- **Outdoor DJ sets.** These take place only on selected Saturdays, between 15:00 and 22:00. There are usually two a month from May to August, and sometimes in September if the weather allows. These are estimated to be around eight a year.

The outdoor summer events, and the DJ sets in particular, have been identified as a possible cause of complaint. The licence holder has worked with the council to reduce the sound egress and is happy to consider further proportionate measures to reduce sound.

The table below summarises the locations and nature of complaints, as detailed in the application:

Location named in the review application	What the application says
Parkhill Road	Home of the complainant who has complained most often, from 2023 to 2026
St Lukes Road and St Lukes Road South	Homes of two complainants; the council's officer describes St Lukes Road as on the same side of the harbour as the premises
Barnfield Road, Livermead	Home of one complainant
Grafton Road	Home of a complainant who says they live about a mile from the premises
Town dock and marina	Boats moored in the harbour; one complainant stays on a boat most weekends

1.4 Scope and limitations

This report deals with music noise egress only. The review also raises crowding in the road, glass collection, public safety, and crime and disorder. Please ensure that you have read and understood the disclaimer at the end of this report.

2 About us

2.1 Qualifications and experience

Mike Wood PhD MEng (Hons) MIOA, Director:

- Mike is the principal consultant at ACT Acoustics, with 18 years' experience in environmental and industrial acoustics. He has been a corporate member of the Institute of Acoustics since 2011.
- He holds a PhD in Engineering (University of Exeter) and an MEng (Hons) in Electronic Engineering and Music Technology Systems (University of York). He has lectured in acoustics at the University of Bath, served on the Institute of Acoustics' Building Acoustics Group, and is principal author of the acoustics chapter of CIBSE TM57.
- His music and events work includes music noise management plans and noise modelling for outdoor festivals and events. Examples are Plumpton Revival, Skyglow/Famfest at Newbury Showground and Newmarket Racecourse, the Fishermans Friends Festival, the Enchanted Garden Ball (8,500 tickets) and Torbay Showground. He has also assessed entertainment noise from pubs and social clubs.
- He has given expert evidence for numerous planning appeals and licensing applications.

Colin Gummer BSc (Hons) MIOA, Senior Acoustic Consultant:

- Colin has over ten years' professional experience in environmental noise and acoustics.
- He holds the Institute of Acoustics Diploma in Acoustics and Noise Control (Southampton Solent University, 2016), with Merits in the Environmental Noise and Building Acoustics modules.
- He carries out short- and long-term environmental noise monitoring, sound insulation testing and noise impact assessments to BS 4142 and BS 8233. He also has extensive experience of noise modelling software.
- He has provided on-site music noise monitoring for music events across the UK.

3 The licence and the review

3.1 The licence

Premises licence PL0019 permits live and recorded music from 09:00 to 00:00 every day, with music outside until 22:00 only. The premises may open from 08:00 to 00:30.

The licence conditions on the prevention of public nuisance are quoted in full below, as they appear in the licence register of 13 October 2026.

> 1. Noise or vibration shall not emanate from the premises such as to cause persons in the neighbourhood to be unreasonably disturbed. In general terms, noise from the premises should not be audible within any noise sensitive premises (e.g. dwelling) with windows open for normal ventilation especially after 11pm. This will be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises. The criteria that will be applied are;
>
> i. Before 11pm - Noise emanating from the premises shall not be clearly distinguishable above other noise.
>
> ii. After 11pm - Noise emanating from the premises shall not be distinguishable above background levels of noise.
>
> iii. The local authority shall reserve the right in cases of tonal noise and where premises are attached to others (i.e. semi's and terraced properties), to make further assessments from within the residential property.
>
> 2. While live or recorded music takes place regular monitoring of noise levels at the nearest noise-sensitive locations shall take place. A record shall be kept of any monitoring, including: the date, time and location of the monitoring; the name of the person monitoring; any action taken. Records shall be kept for at least 6 months following the date of entry and be made available for inspection and copying upon request of an authorised officer of a responsible authority.
>
> 3. On occasions when entertainment is provided at the premises, the Premises Licence Holder or DPS shall nominate a designated member of staff to monitor customers outside to ensure the road is kept clear and to monitor and record noise levels, in accordance with the requirements of the licence.

The condition sets no decibel limit. It has two tests, one before 23:00 and one after, and both are judged at the boundary of the nearest homes.

3.2 The review application

The review was applied for by Julie Smart, Licensing Officer at Torbay Council, as a responsible authority. The site notice gives the grounds as the prevention of crime and disorder, public safety and the prevention of public nuisance. The noise ground is set out in the application as follows:

> Numerous complaints have been received over a period of 3 years in respect of the licensing objectives The Prevention of Public Nuisance and Public Safety. These complaints relate to music events which take place at the premises on a weekly or twice weekly basis throughout the summer months. Complainants state the music is loud…

The hearing is listed for 09:30 on 3 December 2026 in the Banking Hall, Town Hall, Torquay. The application reference is 22500480.

4 Regulations and standards

4.1 Guidance issued under section 182 of the Licensing Act 2003

The Home Office guidance to licensing authorities advises that conditions on noise should be tailored to the premises and should focus on the times when noise is most likely to disturb. It notes that noise limiters are expensive and can be a considerable burden for smaller venues. On a review, it advises that the authority's response should be "no more than an appropriate and proportionate response".

The guidance also explains how the Live Music Act 2012 and section 177A of the Licensing Act 2003 affect licence conditions about music. These are legal questions, and we note them only because they affect which conditions the Sub-Committee may apply to music at the premises. The review application itself records that the council accepted one earlier condition, about the licence holder being present during entertainment, as unenforceable because of the Live Music Act exemption.

4.2 Interpreting the licence condition

The licence condition does not provide numeric noise limits. Instead, it uses the following wording:

Period	Licence wording
Before 23:00	Not clearly distinguishable above other noise
After 23:00	Not distinguishable above background

4.3 Guidance on noise from entertainment

The Institute of Acoustics' Good Practice Guide on the Control of Noise from Pubs and Clubs (2003) has been withdrawn. It gave no numeric criteria for noise from entertainment.

The Noise Council's Code of Practice on Environmental Noise Control at Concerts (1995) sets limits for music events held between 09:00 and 23:00, at 1 m from the façade of noise-sensitive premises. For urban and rural venues other than stadia and arenas with up to three concert days a year, the music noise level should not exceed 65 dB $L_{Aeq,15min}$. For four to twelve concert days a year, it should not exceed the background sound level by more than 15 dB(A). The Code notes that dB(A) can underestimate low-frequency noise, and suggests that a level of up to 70 dB in either the 63 Hz or the 125 Hz octave band is satisfactory, while a level of 80 dB or more in either band causes significant disturbance.

In its response to the government's consultation on licensing reform in November 2025, the Institute of Acoustics described criteria based on inaudibility as "a relic of outdated guidance that case law has found vague, imprecise, and unnecessarily stringent". For that reason, the conditions we propose in this report set levels at named positions, rather than relying on the word "audible".

5 Site visit and noise model

5.1 Site visit

We visited the premises on the morning of Monday 23 November 2026 to survey the site and its surroundings. No acoustic measurements were made. However, we made observations of the premises, including the construction of the Deck, the doors and the glazing, and of the surroundings. Photographs taken during the visit are in the appendix “Site photographs”.

5.2 Rationale for using a noise model

We have not based this assessment on measurements, for two reasons:

1. The music of concern can only be measured between May and September, when bands and DJs play outdoors. We were commissioned in November 2026 to look at the licence conditions, a few weeks before the hearing, so a survey of those events was not possible.
2. A model is more reliable than measurements made in different weather conditions. Sound travels differently as the wind and temperature change, so measurements on one evening may not represent another. The model always assumes conditions favourable to sound travelling from the premises to each neighbour, downwind, in accordance with ISO 9613-2 (*Acoustics — Attenuation of sound during propagation outdoors — Part 2: Engineering method for the prediction of sound pressure levels outdoors*).

We have used the model to find out whether music can be played at levels that are reasonable for entertainment while giving reasonable protection to neighbours, and to advise on suitable controls.

5.3 Noise model

The model was calculated using the method described in ISO 9613-2. It uses typical levels and spectra for live music. It considers sound from music indoors in the band area and on the Deck. We have not modelled the Sunday music played just inside the restaurant doorway, as it is not expected to be louder than music on the Deck.

The settings used in the model are:

Setting	Value
Calculation method	ISO 9613-2:2024
Ground method	General
Ground factor	G = 0.5
Receiver heights	1.5, 4, 6.5 m above the local ground
Noise map height	1.5 m above the local ground, points 20 m apart
Air	14 °C, 82 % relative humidity, 101.6 kPa
Meteorological correction	None (downwind levels)
Constants	C_2 = 20 (screening); reflections to order 1

The ISO 9613-2 calculation methodology assumes favourable propagation conditions, which it defines as a mild downwind condition or a well-developed temperature inversion. This means that the model should predict a reasonable worst case for sound reaching the nearest noise-sensitive locations.

The temperature and relative humidity will also affect sound transmission, mainly at higher frequencies. However, their overall effect for broadband sound sources, such as those considered here, is minimal.

The typical difference in sound levels for temperatures between 0 and 30 °C and relative humidities between 0 and 100 % is less than 1 dB at a distance of 500 m.

For the Deck, we have assumed that the sound level at 5 m from the Deck building is 90 dB L_{Aeq}. For music indoors, we have assumed sound levels of up to 90 dB L_{Aeq}.

We have assumed the following sound power level spectrum for music on the Deck, which is unweighted (Z-weighted). For the Deck, the level 5 m from the Deck building is 90 dB L_{Aeq}.

Hz	Lw, dB (Z-weighted)
63	121
125	117
250	113
500	111
1k	108
2k	105
4k	101
8k	99

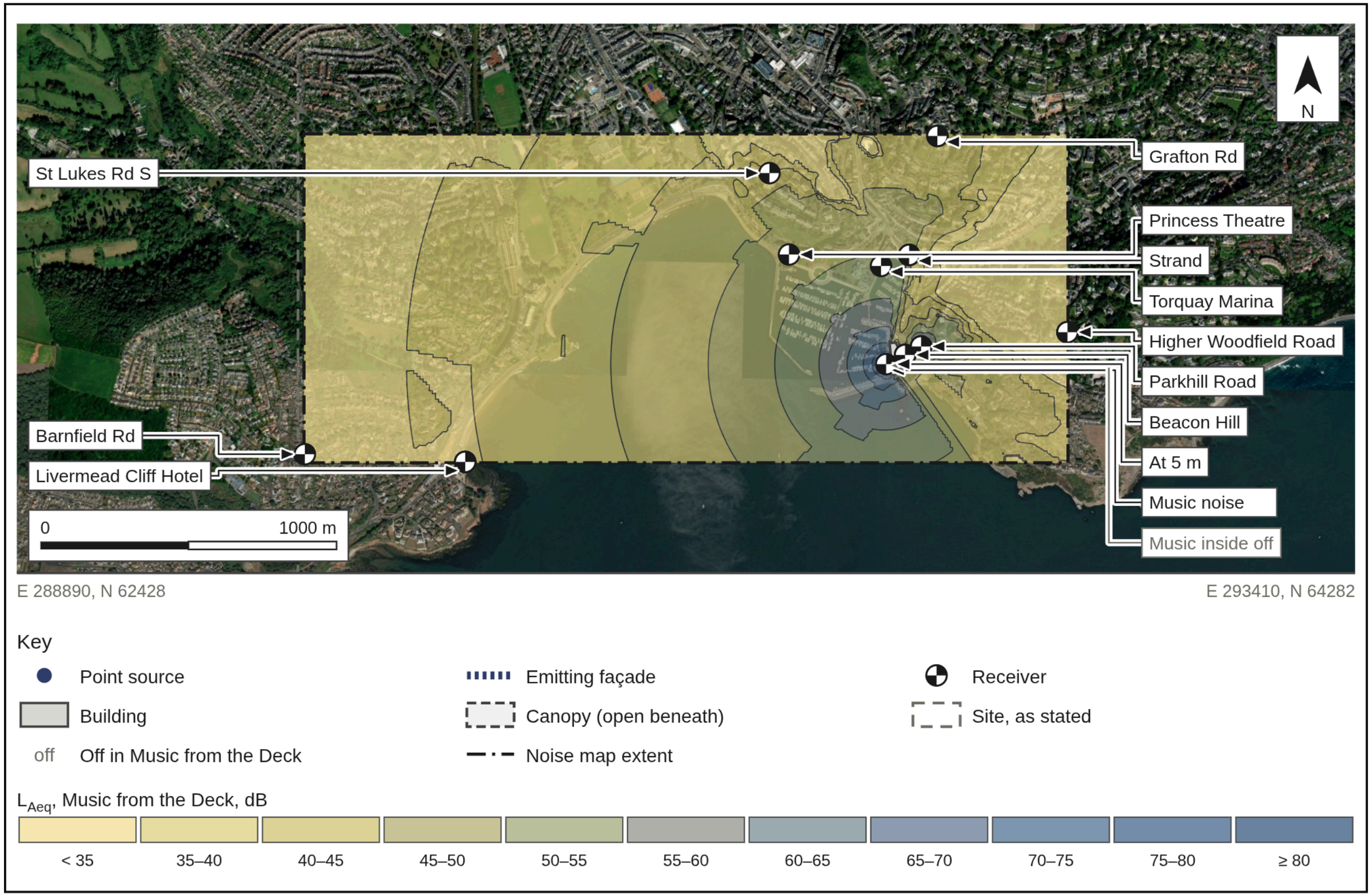
We have assumed that the glazing to the indoor area is 4-12-4 double glazing, with the following octave-band sound reduction:

Hz	R, dB
63	22
125	23
250	25
500	28
1k	38
2k	45
4k	50
8k	55

For indoor music, we have assumed that the doors remain closed.

5.4 Results: music from the Deck

Noise contours for music on the Deck are shown below:



Contains OS data © Crown copyright and database right 2026
Imagery: Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community
Satellite imagery: Esri World Imagery, fetched 25/11/2026, placed on the National Grid to about ±5 m; for orientation only.

Drawing 1 — Noise contours for music from the Deck

The predicted levels at each noise-sensitive location are given in the table below:

Name	Height, m	LAeq music from the deck
At 5 m	1.5	90
Beacon Hill	6.5	62
Parkhill Road	6.5	58
Parkhill Road	4	57
Parkhill Road	1.5	57
Beacon Hill	4	54
Torquay Marina	1.5	51
Strand	4	50
Strand	6.5	50
Strand	1.5	50
Beacon Hill	1.5	48
Princess Theatre	1.5	47
St Lukes Road South	1.5	44
Grafton Road	4	43
Grafton Road	1.5	42
Livermead Cliff Hotel	6.5	36
Livermead Cliff Hotel	4	36
Livermead Cliff Hotel	1.5	34
Barnfield Road	1.5	32
Higher Woodfield Road	6.5	24
Higher Woodfield Road	4	24
Higher Woodfield Road	1.5	24

5.5 Results: music indoors

Noise contours for music from indoors are shown below:



Contains OS data © Crown copyright and database right 2026
Imagery: Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community
Satellite imagery: Esri World Imagery, fetched 25/11/2026, placed on the National Grid to about ±5 m; for orientation only.

Drawing 2 — Noise contours for music from indoors

The tabular results are as follows:

Name	Height, m	LAeq music indoors
Beacon Hill	6.5	8
Parkhill Road	6.5	2
Parkhill Road	4	2
Parkhill Road	1.5	2
Beacon Hill	4	5
Torquay Marina	1.5	2
Strand	4	< 0
Strand	6.5	< 0
Strand	1.5	< 0
Beacon Hill	1.5	5
Princess Theatre	1.5	3
St Lukes Road South	1.5	< 0
Grafton Road	4	< 0
Grafton Road	1.5	< 0
Livermead Cliff Hotel	6.5	< 0
Livermead Cliff Hotel	4	< 0
Livermead Cliff Hotel	1.5	< 0
Barnfield Road	1.5	< 0
Higher Woodfield Road	6.5	< 0
Higher Woodfield Road	4	< 0
Higher Woodfield Road	1.5	< 0

5.6 Summary

The results show that:

- For outdoor music on the Deck, sound levels at the noise-sensitive locations do not exceed 62 dB L_{Aeq} if the sound level 5 m outside the Deck does not exceed 90 dB L_{Aeq}.
- The sound levels from indoor events are expected to be 8 dB L_{Aeq} or less at every noise-sensitive location, and therefore unlikely to be distinguishable against the typical noise climate if the doors are closed.

6 Assessment against the licence condition

6.1 Before 23:00

On a summer evening the harbour is one of the busiest parts of Torquay, and the sound around it comes from many sources. There is road traffic on the roads around the harbour, including buses, taxis and motorcycles. There are people on the quays and promenades and at the outside tables of bars and restaurants. We would expect typical sounds of voices and laughter that tend to rise as the evening goes on. Other venues around the harbour play music, some of it outdoors. The council's officer found that one nearby venue had held several outdoor music events. Within the harbour there are boat engines, rigging tapping against masts, gulls and water against the harbour walls. In August there are also occasional larger events, such as the regatta and fireworks.

Music from Below Decks therefore has to be judged against a busy and varied soundscape. We provide the following typical levels for reference:

Source	Sound Pressure Level, dBA
Disco, 1 m from speaker	100
Diesel truck at a 10 m distance	90
Kerbside of busy road at a 5 m distance	80
Vacuum cleaner at a 1 m distance	70
Conversational speech at a 1 m distance	60
Average home	50
Quiet library	40

As detailed previously in this report, the licence condition uses the following wording for noise:

Period	Licence wording
Before 23:00	Not clearly distinguishable above other noise
After 23:00	Not distinguishable above background

Based on the above, music noise levels of up to 62 dB L_{Aeq} are not expected to be clearly distinguishable against the existing noise climate before 23:00. After 23:00, only indoor music is present. Based on the results of our noise model, the music after 23:00 is expected to be inaudible if properly managed.

7 Comment on the council's evidence

We have read the council's account of the complaints as given in the review application. We have not seen the exhibits it refers to, including the complaint emails, noise diaries, photographs and CCTV. Our comments are therefore limited to acoustic matters.

The complaints describe loud music, often outdoors and including drumming and dance music, on summer weekends and some weekday evenings. They come from homes around the harbour and from people on boats in the town dock. Some say the music could be heard indoors with windows closed.

The Sub-Committee may wish to consider the following:

- Several complainants live a long way from the premises. The council's officer noted in 2025 that two of the complainants lived one and a half miles and three miles away, and that the weight of their complaints was not the same as for someone living close by. Music may be audible at this distance. However, as the Institute of Acoustics has noted, criteria based on inaudibility are "a relic of outdated guidance that case law has found vague, imprecise, and unnecessarily stringent".
- Some complainants were sent noise diaries and did not return them, and those cases were closed.
- The council's officer reviewed the licence holder's own measurements on 11 April 2024 and considered them reasonable.
- The council's officer advised the licence holder to check the wind direction and to point speakers out to sea wherever possible. One complainant said in August 2026 that the music seemed to improve when bands faced out to sea, but became worse when they were moved.
- The licence holder has raised the possibility that music from other venues has been attributed to Below Decks, and the council's officer found that a nearby venue had held several outdoor music events.

8 Recommendations

We recommend that the Sub-Committee considers the measures below.

8.1 Measures at the premises

- A noise management plan, written for this premises, setting out how music is controlled, who is responsible on each night and what they do when a complaint is made.
- A single in-house sound system for all performers under the full control of the licence holder.
- Speakers on the Deck placed and aimed away from the homes and out to sea, at fixed positions marked on a plan.
- Control of bass, by limiting the levels in the 63 Hz and 125 Hz octave bands as well as the overall level.
- Doors kept closed when there is music indoors, where practical.
- Regular boundary checks at set times during every music event, with the results written in a log kept on site, as the licence already requires.
- A telephone number that residents can call during events, answered by the person in charge that night who can take measurements at complainants' homes if necessary.

8.2 Possible conditions

The limits below are based on the noise model described in the section "Site visit and noise model".

Music noise levels at positions to be confirmed should not exceed 65 dB $L_{Aeq,15min}$ at any time, and should not exceed 70 dB L_{eq} in either the 63 Hz or the 125 Hz octave band. Music from the Deck should finish by 22:00, and indoor music by 00:00.

9 Conclusion

We have modelled music noise from Below Decks at the nearest noise-sensitive locations, using typical music levels and the method of ISO 9613-2, which assumes conditions favourable to sound travelling towards each location.

For music on the Deck, the model predicts levels of up to 62 dB L_{Aeq} at the most exposed location modelled, Beacon Hill, and 57 to 58 dB L_{Aeq} on Parkhill Road, if the music is kept to 90 dB L_{Aeq} at 5 m from the Deck building. Levels at the other locations named in the review application are lower. For music indoors with the doors closed, the model predicts 8 dB L_{Aeq} or less at every location.

Before 23:00, the licence requires that noise from the premises is not clearly distinguishable above other noise. Against the busy soundscape of the harbour on a summer evening, we do not expect music at these levels to be clearly distinguishable. No outdoor music is expected after 22:00, so the second test does not apply for this case. For indoor music, the current licence allows music up to 00:00 and our noise model predicts that this will be inaudible at all locations.

In our opinion, music can be played at the premises at levels that are reasonable for entertainment while giving reasonable protection to neighbours, provided that it is properly controlled. The measures we recommend are:

- a noise management plan for the premises;
- a single in-house sound system under the control of the licence holder;
- speakers on the Deck at fixed positions, aimed away from homes and out to sea;
- control of bass as well as the overall level;
- doors kept closed during indoor music, where practical;
- regular boundary checks during every music event, recorded in a log; and
- a telephone number that residents can call during events.

We also recommend limits of 65 dB $L_{Aeq,15min}$ overall, and 70 dB in either the 63 Hz or the 125 Hz octave band, at positions to be confirmed, with music on the Deck finishing by 22:00. For indoor music finishing at 00:00, the results of our model show that levels are likely to be inaudible at all sensitive locations at any time. Unlike the wording of the current condition, these limits will allow the sound to be measured and checked by the licence holder and the council.

A Appendix

A.1 Glossary

General acoustic terms

- *Sound:* The audible transmission of vibrations through air or water.
- *Noise:* Unwanted sound. Sound that causes disturbance.
- *Ground-borne Vibration:* Vibration transmitted through the ground. Has the potential to cause disturbance, even damage at sufficient levels. Typically measured as Vibration Dose Values (VDVs).
- *Re-radiated Noise (or 'Ground-borne Noise'):* Ground-borne vibration can cause walls, floors and ceilings to radiate noise. This is often referred to as ground-borne noise. Mechanical plant may also generate noise by similar means.
- *Cross-talk:* Sound transmission between rooms via ventilation ducting.
- *Decibel (dB):* The standard unit for defining sound pressure levels. The range of normal hearing is between 0 dB and 130 dB, where 130 dB is the upper threshold of pain. A change of 1 dB in sound pressure levels is barely perceptible and 3 dB is normally the minimum audible difference. A change of 5 dB is clearly audible. A change of 10 dB roughly corresponds to a halving or doubling of perceived loudness.
- *dBA (A-weighted decibel):* A-weighted decibels use a frequency weighting to correspond to how the human ear hears sound.
- *Sound power level (SWL):* the logarithmic measure of the total acoustic power a source emits, expressed in decibels. It is a standard way to quantify a sound source's output. The decibel scale for sound power level is measured relative to a reference power level of 10^{-12} W.
- *Sound pressure level (SPL):* the logarithmic measure of an acoustic pressure fluctuation relative to a reference pressure, usually 20 µPa, expressed in decibels. It is a standard way to quantify sound level.

Environmental sound terminology

- $L_{Aeq,T}$ *(equivalent continuous sound level):* The A-weighted equivalent average sound level is commonly used to describe the average sound level in a given environment over the measurement period.
- $L_{A10,T}$*:* The A-weighted level of sound exceeded for 10% of the specified measurement period (T). It gives an indication of the upper limit of fluctuating sound and is commonly used in traffic sound measurements.
- $L_{A90,T}$*:* The A-weighted level of sound exceeded for 90% of the specified period (T). It is commonly used to define background sound level; the underlying level in the absence of intermittent sound.
- L_{Amax} *(maximum sound level):* The highest A-weighted sound level recorded during the measurement period. It is measured using the fast sound level meter response.
- L_{day}*:* Equivalent continuous sound pressure level during the daytime, often defined as 07:00-19:00.
- $L_{evening}$*:* Equivalent continuous sound pressure level during the evening, often defined as 19:00-23:00.
- L_{night}*:* Equivalent continuous sound pressure level during the night-time, usually defined as 23:00-07:00.
- L_{den}*:* This metric aims to account for the increased sensitivity of the evening and night-time periods by adding penalties to the $L_{evening}$ and L_{night} components to produce a day-evening-night compound value.
- *Hz (Hertz):* Hz is the unit of frequency, equal to one pressure fluctuation cycle per second. Frequency is related to the pitch of a sound.
- *Free-field:* A sound measurement taken in the absence of any reflecting objects. Generally measured outside and away from buildings.
- *Façade-level:* A measurement taken in proximity (e.g. 1 m) to a reflective surface other than ground, such as a building façade. This typically increases the measured level by around 3 dB.

- *NSL:* Noise-sensitive location. This is typically a dwelling, church, meditation space or other location likely to be significantly affected by sound.

Music noise terminology

- *MNL (Music noise level):* The A-weighted equivalent average noise level averaged over a 15 minute period ($L_{Aeq,15min}$) . This noise level does not include noise produced by patrons attending the event or other associated noise source.

A.2 Typical noise levels

The table below shows typical noise levels for reference:

Source	Sound Pressure Level, dBA
Jet aircraft at a 50 m distance	140
Threshold of pain	130
Threshold of discomfort	120
Chainsaw at a 1 m distance	110
Disco, 1 m from speaker	100
Diesel truck at a 10 m distance	90
Kerbside of busy road at a 5 m distance	80
Vacuum cleaner at a 1 m distance	70
Conversational speech at a 1 m distance	60
Average home	50
Quiet library	40
Quiet bedroom at night	30
Background in TV studio	20
Rustling leaves in the distance	10
Threshold of human hearing	0

A.3 Documents considered

The documents below were sent to us by Wollens between 6 and 24 November 2026 and were read in preparing this report.

Document	Description
Application for the review of a premises licence (Form J)	Torbay Council, signed by Julie Smart, Licensing Officer. Narrative only; the exhibits it refers to were not supplied.
Review site notice	Torbay Council, “Below Decks: Notice for the review of the premises licence”. Representations by 29 October 2026.
Notice of hearing to the premises licence holder	Torbay Council. Hearing at 09:30 on 3 December 2026, application reference 22500480.
Premises licence register, as at 11:01 on 13 October 2026	Premises licence PL0019, granted entry. The premises plans it lists were not supplied.

Document	Description
Premises licence register, as at 11:05 on 13 October 2026	Completed application 074271, “New Mandatory Conditions for Premises Licence”.
Noise management plan assessment, dated 29 October 2026	Email from the licence holder’s previous adviser to Mr Kevin Shadbolt, reproduced as a document. No formal report was issued.
Email from Wollens, 24 November 2026	The licence holder’s account of its music programme: the indoor programme, regular summer live music and outdoor DJ sets.

A.4 Site photographs

Photographs taken by Colin Gummer of ACT Acoustics at the site visit on 23 November 2026.

Outside area



Figure A.1 — The Deck building and the open deck from the quay



Figure A.2 — View from the open deck towards Beacon Quay



Figure A.3 — Inside the Deck building, looking towards the harbour



Figure A.4 — Junction of the roof and the head of the glazing in the Deck building



Figure A.5 — Roof, heater and glazing inside the Deck building

The main bar



Figure A.6 — The bar inside the main building



Figure A.7 — Glazed entrance door to the restaurant



Figure A.8 — Folding doors to the restaurant, open



Figure A.9 — Threshold of the folding doors



Figure A.10 — Hinge side of the folding doors



Figure A.11 — Head of the frontage glazing



Figure A.12 — Frame head on the frontage



Figure A.13 — Door at the end of the frontage



Figure A.14 — Threshold of the door at the end of the frontage

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The findings and opinions expressed are relevant to the dates of the site works and should not be relied upon to represent conditions at substantially later dates. If additional information becomes available which may affect our comments, conclusions or recommendations, the author reserves the right to review the information, reassess any new potential concerns and modify our opinions accordingly.

All design advice given in this report should be checked with a suitably qualified structural engineer, fire safety engineer, chartered building surveyor, building services engineer and your local building control officer as required. Suitably qualified consultants can be found at the Institution of Structural Engineers, the Royal Institution of Chartered Surveyors and the Chartered Institution of Building Services Engineers. The manufacturer's guidance should be followed in full for all recommended products in this report.

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