

## Harrison, Lucy

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**From:** Tierney, Eileen  
**Sent:** 20 December 2022 11:04  
**To:** Tierney, Eileen  
**Subject:** FW: OBJECTION TO TEN : The Barley Mow NY Eve Party, The Dale, Bonsall, Derbyshire, DE4 2AY

Appendix 3

**From:** Salmon, Laura  
**Sent:** 15 December 2022 12:07  
**To:** Licensing Inbox <[LicensingInbox@derbyshiredales.gov.uk](mailto:LicensingInbox@derbyshiredales.gov.uk)>  
**Cc:** Tierney, Eileen <[eileen.tierney@derbyshiredales.gov.uk](mailto:eileen.tierney@derbyshiredales.gov.uk)>; Goodwill, Amanda <[Amanda.Goodwill@derbyshiredales.gov.uk](mailto:Amanda.Goodwill@derbyshiredales.gov.uk)>; Cowley, David <[David.Cowley@derbyshiredales.gov.uk](mailto:David.Cowley@derbyshiredales.gov.uk)>  
**Subject:** RE: [OFFICIAL (SENSITIVE)] TEN : The Barley Mow NY Eve Party, The Dale, Bonsall, Derbyshire, DE4 2AY

Dear Licensing,

Having reviewed the attached TEN for a New Year's Eve Party within a marquee in the Car Park of the Barley Mow, Bonsall, Environmental Health object to the notice on the following grounds:

- A noise abatement notice was served on the DPS, namely Mrs Colette Dewhurst/Baum, on 29th April 2022 following complaints and a subsequent investigation into noise nuisance arising from loud music emanating from the marquee in the car park. The investigation satisfied Environmental Health of the existence and likely recurrence of noise amounting to a statutory nuisance. The notice required/s the DPS, as the person responsible for the noise, to abate the said nuisance and PROHIBIT the recurrence of the same forthwith. The notice required/s the DPS to cease and cease to permit the playing of loud music outdoors in the marquee located in the car park at such a volume that would cause unreasonable disturbance to the occupiers of neighbouring properties. The notice was not appealed and is still in place.
- Environmental Health are of the opinion that any form of amplified music, recorded or live, played in the marquee would be at such a volume to cause unreasonable disturbance as the marquee is not capable of containing noise and is situated in very close proximity to neighbouring properties.
- The noise abatement notice, served in April 2022, was allegedly breached on 14th May 2022 with a live music event taking place in the marquee, just a few short weeks after the notice was served. A warning letter was subsequently sent to the DPS.
- A further breach of the notice took place on 21<sup>st</sup> May 2022, another live music event in the marquee, of which Environmental Health have evidence by means of noise recordings taken using our noise nuisance recorder placed inside a resident's property.
- The DPS contacted Environmental Health in June 2022 asking if she could hold a live music event for a 50<sup>th</sup> birthday Party in the marquee, she was advised against this as it would likely amount to another breach of the noise abatement notice as, in our opinion, would this New Year's Eve event.

Environmental Health have no objections to live or recorded amplified music being played inside of the pub itself, providing that doors and windows are kept closed in line with the premise licence conditions.

Kindest regards

Laura

**Laura Salmon**  
Environmental Health Officer



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