

Decision on Mallory Park request for variation to noise abatement notice schedule March 2022

Following the request by the operators of Mallory Park racing circuit to vary the Noise Abatement Notice 14/00058/EPA under Paragraph 21 of the Schedule, having considered all comments made during consultation on the application, reviewing the complaints received over past years, and views from our Environmental Health team, the Council has made the following decisions on the variation request from Real Motorsport Ltd:

Key: R1 – race day; N1 – high noise day; N2 – medium noise day

Request	Decision	Reason
<p>Request 1</p> <p>A 20 min lunch break during the annual Boxing Day Plum Pudding event. Due to the time of year, the operating hours are only usually between 10:00 and 15:30 and therefore we cannot utilise the full 7.5 hours of circuit activity that the Abatement Notice allows us. Thus, a reduced lunch break would result in an earlier finish, and prevent spectators from having to stand around, usually in the cold, for a prolonged period of time.</p> <p>This request has been agreed previously and is now requested as a permanent change.</p>	<p>AGREED</p> <p>Para 1 is amended by the addition of ‘except the 26 December when it shall be a minimum of 30 minutes’.</p> <p>This is a permanent variation subject to an annual review undertaken by the Council, where the Council will consider the impact of the change and if it should remain or revert back to the original. The outcome of the review will be communicated to the circuit in writing by the 30th November each year.</p>	<p>Overall there was no justification to refuse the variation as there was no evidence of increased noise nuisance from previous variations and the level of control afforded by the original notice would continue.</p> <p>The variation was approved permanently subject to an annual review of the impact of the variation.</p>
<p>Request 2</p> <p>One three day event per year i.e. Fri/Sat/Sun, in addition to the six double weekends currently permitted. Not to be taken in the same month as a double weekend, and a</p>	<p>AGREED</p> <p>Para 4 to be amended by the addition of ‘except one agreed weekend event per year as per para 6’.</p>	<p>The request does not change the total number of noisy days allowed.</p> <p>Overall there was no justification to refuse the variation as there was no</p>

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<p>quiet weekend would follow. RML seek a permanent change to enable this.</p> <p>This request has been agreed previously and is now requested as a permanent change.</p>	<p>Para 6 to be amended by the addition of 'except one per year when three consecutive noisy days are permitted'.</p> <p>This is a permanent variation subject to an annual review undertaken by the Council, where the Council will consider the impact of the change and if it should remain or revert back to the original. The outcome of the review will be communicated to the circuit in writing by the 30th November each year.</p>	<p>evidence of increased noise nuisance from previous variations and the level of control afforded by the original notice would continue.</p> <p>The variation was approved permanently subject to an annual review of the impact of the variation.</p>
<p>Request 3</p> <p>Increased flexibility in relation to clause 13. Currently, a midweek N1 day cannot be followed by a weekend R1/N1 day or vice versa. We request permission to have the choice between operating an N1/R1 on a Saturday or a Sunday after a Friday.</p> <p>This request has been agreed previously and is now requested as a permanent change.</p>	<p>AGREED</p> <p>Para 13 to be amended by the addition of "except one Friday per calendar month as long as the following circumstances apply:</p> <p>Where the Friday is not preceded by a N1 or N2 day; or Where the Friday is not followed by two weekend R1, N1 or N2 days;</p> <p>And</p> <p>Where the total number of noisy days (R1, N1, N2) does not exceed 5 days in any 7 day rolling period or 6 days in any 8 day rolling period."</p>	<p>The request does not change the total number of noisy days allowed.</p> <p>Overall there was no justification to refuse the variation as there was no evidence of increased noise nuisance from previous variations and the level of control afforded by the original notice would continue.</p> <p>For further clarity and to ensure the variation does not lead to a concentration of noisy days I conditioned the change on there being no more than 5 in 7 or 6 in 8 noisy days in a rolling period.</p> <p>The variation was approved permanently</p>

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	<p>This is a permanent variation subject to an annual review undertaken by the Council, where the Council will consider the impact of the change and if it should remain or revert back to the original. The outcome of the review will be communicated to the circuit in writing by the 30th November each year.</p>	<p>subject to an annual review of the impact of the variation.</p>
<p>Request 4</p> <p>To hold an additional 12 days from 2022, bringing the total operating days to 106.</p> <p>These extra days will be 8 additional N1 days and 4 additional N2 days.</p> <p>These N1 and N2 days are to be used in the period March to October each year on weekdays to a maximum of 2 per week.</p>	<p>REFUSED</p>	<p>Based on the evidence available to me, I was not satisfied that that the additional days would not add to the overall noise burden experienced by the local community.</p>
<p>Request 5</p> <p>To include bank holiday Friday in the definition of a “Weekend” in section I of the schedule</p>	<p>WITHDRAWN FROM CONSIDERATION</p> <p>The operators of the circuit advised that they wished to withdraw this request for a variation post the consultation.</p>	

We would wish to apologise for a delay in the Council making a decision on this variation request, originally being that it was hoped to have done so by the 31 January 2022. The delay has been due to the Council receiving a Solicitors letter during the consultation period which made a number of legal points which we had to consider before making the decision on the variation.