

**Guide to the Management of Noise
from
Licensed Premises**



Environmental Health Department
Armagh City and District Council
Palace Demesne
Armagh
BT60 4EL

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Guide to the Management of Noise from Licensed Premises

Acknowledgement

This guidance document is intended to help Licencees and those applying for Licences on the management of noise and other public nuisances issues from their premises.

We wish to acknowledge the co-operation of the Institute of Acoustics for allowing us to quote from their publication 'Good Practice Guide on the Control of Noise from Pubs and Clubs' from which much of Section 7 of this 'Guide to the Management of Noise from Licensed Premises' is based.

Details of acoustic consultants who are members of the Institute of Acoustics may be obtained from the Institute of Acoustics whose contact details can be found on page 10.

1.0 Introduction

Excessive noise is a major cause of nuisance. This guide has been produced to assist licensees and those applying for licences on the management of noise from their premises. All licensees should use this guide to aid the prevention of noise problems. However, it will also be a useful source of information where noise has already been identified as an issue, and a reactive approach is needed.

Under the Licensing regime the prevention of 'Public Nuisance' is one of the objectives that has to be achieved on all applications. Public Nuisance matters include noise, odour, general disturbance, litter and anti-social behaviour which can affect occupiers near a licensed premises.

2.0 Overview of Noise Control Enforcement

District Councils have powers The Pollution Control and Local Government (N.I) Order 1978 to serve a noise abatement notice on any person responsible for causing a noise disturbance amounting to a statutory nuisance. Such notices generally prohibit the recurrence of the nuisance, and failure to comply with the terms of a notice can lead to fines of up to £20,000 imposed by a Magistrates Court. Abatement notices can also be served on the owners or occupiers of premises, and can also be served before a statutory nuisance takes place if the Local Authority is satisfied that it is likely to occur.

Clearly, it is in the interest of all licensees to be aware of the potential repercussions of creating excessive noise and a preventative approach is a key aspect of good management.

3.0 Public Relations

It is recommended that licensees take a proactive approach to public relations. Maintaining open communications with residents can prevent noise complaints. For

example if an outdoor event is planned, a letter to local residents advising them of the event, it's finishing time, and contact details can be helpful. In situations where there is a history of complaint, it can be useful to hold regular liaison meetings with local residents.

4.0 Noise Assessment

All applications for licences should address what steps are proposed to prevent public nuisance. Where entertainment or other potentially noisy activities are planned, it is recommended that the noise assessment form, as attached in Appendix 1, should be completed. This is to ensure that a preventative approach is taken, and that any potential problems are considered at an early stage. For some premises, with little potential noise impact, completing the form will be a simple matter. However, for other premises, particularly those applying for entertainment in residential areas, the noise assessment will involve careful consideration of potential noise sources and control measures, and may need to be supplemented by additional reports or information, such as from equipment suppliers or acoustic consultants.

For premises where entertainment takes place on a regular basis, music and associated sources (including DJs, and amplified voices) should generally not be audible inside noise sensitive property at any time. Where entertainment takes place less frequently, such noise should not be audible inside noise sensitive property between 23.00 and 07.00 hours.

All licensees should have a log book for keeping a record of any noise complaints, actions, responses and noise survey results. It should also include records of any changes made to the settings of any noise limiting device.

5.0 Sources of Disturbance

The main sources of noise that can cause disturbance from licensed premises include:

- Music, singing and speech, both amplified and non-amplified, originating from inside and outside buildings, including recorded or live music, and public address systems/tannoys.
- Activities in beer gardens, smoking shelters and play areas
- Rowdy behaviour, shouting, cheering etc.
- Use of car parks and access roads and arrival/departure of taxis etc.
- Delivery, collection and storage activities (including beer deliveries, bin emptying collection and storage of recyclables, and also including artistes equipment).
- Plant and machinery (including ventilation systems, air conditioning units and chilling equipment).

There is also the potential for disturbance from patrons leaving the premises and those who have left the premises.

6.0 **Noise Management**

Licensees are advised to complete the noise assessment (Appendix 1), which demonstrates that appropriate measures have been, or will be, introduced to ensure that noise from the premises does not disturb residents in the locality.

The level of noise which is acceptable will vary depending on the time of day, the nature of the activity, and the prevailing background noise in the area. For example, the use of a beer garden could be acceptable at lunchtime, but may not be acceptable late at night when background noise levels tend to be lower and local residents may wish to sleep.

Loud music can be particularly problematic at night, as low frequency noise (bass) can often be heard some distance from the noise source.

A written noise policy can be helpful in maintaining standards and demonstrating a commitment to good noise management. Such a policy can also be an important tool in staff training

As well as appropriate noise control measures, licensees will be expected to put in place arrangements to monitor noise and keep records of this monitoring in a log book. The type of monitoring necessary could range from a simple perimeter survey and listening test by an employee or licensee (without the use of sound measuring equipment) to a full acoustic assessment using competent consultants, taking detailed measurements.

As a general rule, noise monitoring should be carried out prior to a license application and at least annually thereafter when entertainment is taking place.

It should also be undertaken in the following circumstances:

- If new noise sources and/or control measures are introduced.
- If a new entertainment activity is planned
- When a new entertainment activity is commenced
- When considering alterations to any premises and again, after completion of these alterations
- Before and after the introduction of new machinery
- Before and after extending opening hours
- Following the receipt of a complaint from a member of the public, or the local authority.

It is, however, good practice to undertake perimeter listening checks on a regular basis, if the premises are in a residential area.

7.0 **Noise Control Measures**

A preventative approach to noise control should be adopted by licensees, particularly when considering changes to buildings, windows, doors, ventilation equipment and types of entertainment.

The following details of noise control measures will also be very relevant for existing premises where noise is a concern.

At the design stage of new premises, or the refurbishment of existing premises, consideration should be given to the site layout, with a view to preventing noise disturbance. In particular, attention should be paid to the location of entrances and exits, windows, car parks, access roads, gardens and play areas, and commercial delivery and collection area. It may be necessary to take advice on the use of screening and some of the more technical source-specific noise control measures from a competent person. It is also advisable to seek the views of the local authority at the design stage.

7.1 **Noise from Music, Singing and Speech from Inside Buildings (Entertainment Noise)**

At the design stage for new premises, when planning the refurbishment of existing premises, or when noise disturbance is occurring from existing premises, the following measures should be considered:

- The determination of an appropriate level of sound insulation based on realistic noise levels;
- The construction of cavity masonry walls, or the addition of sound insulation or independent wall linings to enhance the containment and attenuation of sound;
- The provision of lobbies with automatic door-closers for building entrances and exits. Where possible, the distance between the inner and outer doors should be sufficient to ensure that one door set is normally closed as people pass through the lobby. It will also be necessary to ensure that wheelchair access is not hindered;
- The provision of well sealed acoustic doors on emergency exits;
- The provision of sound insulated windows;
- The provision of mechanical ventilation or air conditioning systems that will enable windows and doors to be kept closed, hence reducing noise breakout. However, such plant can also create noise or allow internal noise to breakout through ducting or apertures in the structure, and will often need acoustic treatment.

- The installation of visual or audible alarms to alert staff that doors or windows that should be kept closed, are open
- The control of music noise at source, either by reducing the overall sound level of the music, or by reducing the sound level at individual frequencies which are causing, or have the potential to cause, disturbance;
- The playing of more calming types of music towards the end of an event (this may also help reduce the potential for rowdy behaviour);
- The installation of a noise limiting device (noise limiter), connected to all permanent music and public address equipment and all available mains power sockets within the area around the stage. The limiter should be set at a level agreed with the local authority. It should however be noted that in very noise-sensitive situations, it may be found that such devices have to be set so low that music events are not viable.
- Alterations to the number, location and mounting of loudspeakers so that internal music levels can be kept as low as possible and the transmission of structure-borne noise is minimised.

7.2 Use of Gardens and Play Areas

Careful consideration should always be given to the siting of gardens and play areas, intended for the use of patrons, in order to minimise the risk of disturbance to neighbours. The use of gardens and external play areas from which noise disturbance has arisen, or may arise, should not commence before the start of normal trading hours and should normally cease at dusk or at 21.00 hours, whichever is the earlier.

Consequently, where there are nearby noise-sensitive premises, the use of lighting in garden and external play areas late into the evening can be undesirable, unless required for health and safety or security reasons. The provision of such lighting may encourage patrons to congregate in these areas and cause noise disturbance at this more sensitive time.

7.3 Smoking Shelter

The Smoke Free legislation will increase the amount of times external doors which are used for access and egress. If you operate premises with regular entertainment, be aware that this will increase the amount of noise to adjoining premises. Lobbies with automatic door closers to the entrances and exits should be provided. Where possible, the distance between the inner and outer doors should be sufficient to ensure that one door is normally closed as people pass through the lobby. It will be necessary to ensure that wheelchair access is not hindered.

Where possible smoking shelters should be sited away from private housing where smoke and noise may become an environmental issue. It is the responsibility of staff at the premises to ensure noise from all external areas is kept to a minimum.

Some suggestions for Licensees with the aim of reducing noise disturbance are included below:

- Signs can be placed around the premises asking people to be quiet and respect neighbors whilst smoking outside on or off the premises.
- Licensees should ensure that external doors to smoking areas or external doors to areas where people go to smoke are kept closed to contain crowd noise and noise from entertainment within the premises.
- Licensees may wish to supervise smokers to ensure they do not cause a disturbance to local residents. In addition the supervisor could be responsible for managing the number of people in a smoking area to help reduce noise disturbance.
- All shelters should be faced inwards to reduce noise. However to meet the regulations any edges of the smoking shelter must be at least 1.5 metres away from any enclosed structure, such as walls or hedges.

7.4 Rowdy Behaviour

This problem can arise at the end of an event, as closing time approaches and afterwards. Posting notices close to the exit doors and in car parks, requesting patrons to leave and disperse quietly, may improve the situation. Relaying a similar message through a PA system, where this is practicable, will reinforce such requests. The playing of quieter music towards the end of an event can also encourage patrons to leave more quietly.

In situations where noise-sensitive premises overlook the main entrance/exit, the use of alternative entrance/exit routes, possibly onto a rear or side street or a car park, may also help to minimise disturbance. Door staff should also assist in minimising disturbance by actively managing entrances and exits.

7.5 Use of Car Parks and Access Roads

At the planning stage, access roads and car parks should be kept as far away as possible from noise-sensitive premises. If natural screening exists, its potential for minimising noise disturbance should be maximised. In addition, the screening provided by nearby existing and proposed non noise-sensitive buildings, should also be considered. In some instances, it may also be appropriate to consider the provision of purpose built screening.

Noise from car parks and access roads normally only becomes an issue when patrons are leaving a venue during the later part of the evening or at night. The provision of closed circuit television (CCTV) systems in these areas can provide an effective and safe method of monitoring activities during these periods, and thus allow rapid control or prevention of incidents that may cause noise disturbance.

A specific taxi operator could be nominated for staff use. The company's telephone number could also be advertised to customers at the venue. Steps should be taken to ensure that any such operator, and all drivers, are aware that they should arrive and depart as quietly as possible, should not sound vehicle horns as a signal of their arrival or leave engines idling unnecessarily. In addition, staff should be required to leave as quietly as possible, particularly at night and early in the morning.

7.6 Delivery/Collection/Storage Activities

Steps should be taken at the planning stage to minimise the potential for noise disturbance from deliveries and collections. Particular attention should be paid to the siting of loading, unloading and/or storage areas and the need to minimise vehicle manoeuvring, especially reversing.

If there are frequent commercial deliveries, and/or collections that are resulting in noise disturbance, the management of premises should discuss the following issues with their suppliers and implement those that are necessary and appropriate:

- Restricting such activities, for example, to the normal working day;
- Attempting to limit the number and/or frequency of deliveries and collections;
- Using alternative loading and unloading areas;
- Using alternative delivery/collection vehicles; and
- Using alternative methods of delivery/collection/loading/unloading

Where premises are close to noise-sensitive properties, the handling of beer kegs, bottles and other similar items should be avoided in the late evening, at night and during the early morning, particularly outdoors. Similar steps may also be necessary to restrict the use of bottle banks at these times.

7.7 Noise from Plant and Machinery

Where possible, any externally located plant and machinery should be positioned in such a way that the building structure provides as much screening as possible for nearby noise-sensitive properties. Alternatively, or additionally,

control measures such as acoustic enclosures, acoustic louvres, silencers, or additional acoustic screening may be necessary.

Where plant and machinery are in, or on, premises that are structurally attached to noise-sensitive property, e.g. a flat above a pub or club, this equipment may need to be installed on anti-vibration mounts to minimise the transmission of structure-borne noise.

Regular maintenance should be carried out on all plant and machinery to ensure that noise disturbance from such sources is kept to a minimum.

7.8 **Outdoor Events**

It is generally not advisable to hold regular outdoor events on premises that are close to noise-sensitive properties. However, if such events are planned, advice should normally be sought from a competent person. This advice should be discussed with the local authority well in advance of an event to agree and arrange any noise control measures that may be necessary.

In addition to the advice given in 7.1 the following noise control measures should be considered:

- Directing loudspeakers away from the most noise-sensitive buildings;
- Locating stages as far away as possible from, and facing away from, noise-sensitive properties; and
- Using screening provided by existing non-sensitive buildings, barriers and topographical features and the erection of purpose built screening.

Given the particular difficulties in controlling noise from outdoor events, entertainment which could affect noise sensitive properties should finish as early as possible in the evening so as to minimise potential sleep disturbance.

A proactive approach to managing public relations is recommended.

8.0 **Internal Noise Levels**

From April 2008 Licensees will need to clarify with The Control of Noise At Work Regulations (NI) 2006, which aim to protect workers from the effects of excessive noise.

Therefore employers and employees working in pubs and clubs have responsibilities to protect the hearing of all employees, including bar staff, performers, crew, and guest performers.

Measures that may need to be taken include noise risk assessments, certain steps to reduce peoples exposure to noise, acoustic controls, reducing the time employees

spend in noisy areas, pointing the sound to where it is needed (e.g. the dance floor as opposed to the bar), volume control, training, hearing protection and health checks.

9.0 **Glossary of Terms**

Audible Sound that can be heard

Inaudible Sound that cannot be heard

Log book A record kept by the Licensee of all noise monitoring, noise limiter settings, and any technical data pertinent to noise control such as maintenance records. Also details of any complaints received, resulting actions and responses.

Noise sensitive Property These are properties where the occupiers are likely to be sensitive to noise from licensed premises. As well as residential property, such properties include schools, hospitals, hotels, libraries, churches, and other places of worship.

10.0 **Useful References**

Good Practice Guide on the Control of noise from Pubs and Clubs, Institute of Acoustics, March 2003

www.ioa.org.uk/pulications.asp

Licensed Property: Noise Control Effective Management of Noise from Licensed Premises, British Beer and Pub Association

www.beerandpub.com/content.asp?id_Content=992id_ContentType=1

Reducing Litter caused by 'food on the go' – A Voluntary Code of Practice for Local Partnerships (DEFRA-2004)

www.defra.gov.uk/environment/localenv/litter/pdf/fastfoodcop.pdf

Guide to the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (DEFRA Document 2005)

www.defra.gov.uk/environment/noise/research/kitchenexhaust/pdf/kitchenrport.pdf

11.0 **Useful Addresses**

Institute of Acoustics

77a St Peters Street

St Albans

Herts

AL1 3BN

www.ioa.org.uk

01727 848195

Environmental Health Department
Armagh City and District Council
Palace Demesne
Armagh
BT60 4EL

www.armagh.gov.uk

ehealth@armagh.gov.uk

028 3752 9626

APPENDIX 1

Armagh City and District Council
Licensed Premises Noise Assessment

Applicant's Details	
Name of Premises	
Address of Premises	
Contact name and telephone number	
Date	
Locality and Premises Details	
How near are the premises to residential property including gardens? (please tick)	<input type="checkbox"/> Adjoining <input type="checkbox"/> Within 50m <input type="checkbox"/> Within 100m <input type="checkbox"/> Over 100m
What type of area is the premises in? (please tick all that apply)	<input type="checkbox"/> Town Centre <input type="checkbox"/> Main Road <input type="checkbox"/> Residential <input type="checkbox"/> Other (please specify)
Sources of Noise	
What type of entertainment do you wish to provide? (please tick all that apply)	<input type="checkbox"/> Background music <input type="checkbox"/> Karaoke <input type="checkbox"/> Live DJ <input type="checkbox"/> Disco <input type="checkbox"/> Live vocalists <input type="checkbox"/> Live bands <input type="checkbox"/> Un-amplified music <input type="checkbox"/> Other (please specify)

What plant and equipment are on the premises which could give rise to noise?	<input type="checkbox"/> Beer chilling equipment <input type="checkbox"/> Food preparation area extraction units <input type="checkbox"/> Air conditioning units <input type="checkbox"/> Other ventilation equipment
What times are deliveries received and what arrangements are in place for the loading and unloading of artistes' equipment?	
What outdoor facilities do the premises have?	<input type="checkbox"/> Beer garden <input type="checkbox"/> Children's play area <input type="checkbox"/> Outdoor music and entertainment
Noise Assessments	
What steps have been taken to assess noise from the premises? (Please attach survey details and results)	<input type="checkbox"/> Acoustic Survey <input type="checkbox"/> Perimeter listening survey <input type="checkbox"/> Other (please specify) <input type="checkbox"/> None
Do you have a log book to record details of complaints, surveys, etc?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Noise Control Measures <i>Please refer to Section 7 of the Noise Management Guide</i>	
What steps have been taken to control noise?	Please attach details
What additional steps are proposed?	Please attach details

