
Bath & North East
Somerset Council



Control of Noise from Licensed Premises

Environmental Protection

Introduction

The Licensing Act 2003 introduced a regime for the prevention of public nuisance. This leaflet provides guidance for current licensees and new applicants on the management of noise from their premises.

If you apply for a new premises licence or seek to vary an existing licence, the Environmental Health Department will comment on the 'prevention of public nuisance' aspects of your license application. If you have not addressed these matters on your application form, we may make a representation to the Licensing Team which will affect your application.

Suitable and proper planning with effective house management is the key to minimising the potential for noise disturbance from licensed premises.

Noise control measures, and systems for monitoring and reviewing them will vary according to what is practicable, or the size and nature of the business. The noise that is acceptable will vary depending upon the time of day, nature of the activity and existing background noise levels.

The following sections highlight potential sources and outline practical measures to reduce the risk of unacceptable noise associated with licensed premises.

Location and Structure of premises

Problems usually arise where licensed premises are close to residential properties or share adjoining structures. You should consider the following aspects when determining how to control noise from your premises.

The type of construction and building fabric of your premises;

Type, location, orientation and control of window and door openings;

Layout and orientation of premises in relation to the nearest residential properties;

Location and proposed use of any conservatories and outdoor seating and/ or smoking areas;

Types of ventilation systems, air conditioning and vents;

Potential for breakout of airborne sound or transmission of vibration

You should be aware that any structural changes may need approval from the Local Planning or Building Control departments and you are advised to contact them prior to carrying out any works.

Patrons

Licensees can be held to account for noise problems arising from patrons, both on their premises and in the vicinity of the licensed premises. The use of lobbied doorways can help, as they are under direct control of the licensee and can provide a calming transitional phase between the potentially noisy interior and the quieter exterior.

Good house management – requesting patrons to leave the premises quietly by placing posters close to exits and/ or relaying the message through a PA system will help control rowdy behaviour. Door staff can also assist in minimising disturbance from patrons as they leave the premises.



Fixed Plant and Machinery

Most premises will have mechanical ventilation/ extraction units, air conditioning units, chiller units or beer pumps. These items will often include external units that will operate automatically day or night. The noise from these items can cause annoyance or even a Statutory Nuisance to local residential properties, especially when these units operate during late evening and through the night.

In order to control this type of noise:

- First consider the location of the plant and machinery so that the building structure provides as much screening as possible to local residential properties;
- Consider the hours of operation and turn off any equipment that is not required;
- Consider simple engineering means such as silencers, baffles, acoustic enclosures or additional acoustic screening;

- A noise assessment should be conducted in accordance with British Standard 4142; this will provide you with an indication on the likelihood of complaints. You may require the services of a noise consultant to undertake the assessment and to provide you with advice on what methods are suitable to reduce noise to an acceptable level;
- When plant and machinery are in premises that are structurally attached to residential properties e.g. a flat above a hot-food takeaway, then consideration must be given to anti-vibration mounts to minimise the transmission of structure-borne noise;
- Regular routine maintenance is essential to reduce noise. In many cases annual servicing has been found to reduce noise drastically, whilst also reducing running costs.

Noise from Music

Whether the source is the in-house entertainments system, juke box, live music, DJ or karaoke, the break out of music is the most common complaint received by Environmental Health regarding licensed premises. Whilst the type and volume of the music is acceptable to those on the premises, it can be intrusive to those in the surrounding area.



Music and associated noise will tend to rise during the course of an event, especially throughout the evening and night when background noise levels drop.

Music will usually contain significant bass or low frequency elements that can lead to a disturbing audible bass beat at residential properties. This information must be taken into account when considering sound insulation to prevent noise nuisance.

You should consider the methods below to prevent break out of noise from licensed premises:

- Keep windows and doors closed whilst musical entertainment is being played;
- Provide air conditioning to prevent patrons opening the windows and doors;
- Provide acoustic secondary glazing to windows;
- Provide well sealed acoustic glazing to doors and exits;
- Increase the sound insulation properties of the walls and ceilings of the structure or building;
- Provide an entrance lobby with acoustic self-closing doors and entrances and exits;
- Provide alarms to warn staff when windows and doors that should be kept shut are opened;
- Control the music level at source by reducing either the overall sound level or reduce music played at lower frequencies;
- Provide an automatic cut out device, which will cut out when the noise goes beyond a pre-set noise level inside the premises. The pre-set noise level should be set at a level that does not cause a noise nuisance to local residential properties;
- Locate any speakers so that the internal music levels can be kept as low as possible whilst minimising break out of noise from premises;
- Play calmer music at the end of the event;
- Provide movable barriers or screens for window facing residential properties.

Noise from music outside

When planning events outside, consideration should be given as to how the noise from the event will be controlled, to prevent causing a nuisance to nearby residential properties. Attention should be given to the location of the performance area and the direction of any speakers. Speakers should be pointed away from nearby residential properties and angled downwards.

Use screening provided by buildings, barriers or topographical features. Consider the erection of purpose built screening, either temporary or permanent.

The monitoring of noise limits around the boundary of your site will also help prevent music from the event causing a public nuisance.

Be aware that the erection of screening may need approval from the local Planning Department and you are advised to contact them prior to carrying out any works.



Beer Gardens/ Smoking Shelters/ Play Equipment

When siting beer gardens, smoking shelters and play equipment, ways to help reduce noise disturbance to local residents should be considered.

The use of external areas where noise may lead to noise disturbance should be limited, and consideration should be given to the hours in which these areas can be used.

Car Parks

Noise from car parks usually only becomes a problem when patrons leave the premises, although some car parks can encourage the congregation of people and vehicles at any time, causing a noise issue to local residents.

The provision of CCTV or a member of staff to monitor activities during periods of use would allow for quick intervention to prevent incidents occurring that could lead to a noise disturbance.

If problems occur regularly you may consider closing parts of the car park during the evening and at night, or providing some acoustic fencing.

Arrangements should be made to ensure that taxi operators and drivers are aware that they should arrive and depart quietly, without sounding their horns or running their engines unnecessarily. The use of one specific taxi operator from the site may help.

You should ensure that the car parks do not become areas where people gather and cause a nuisance.



Delivery of goods, collection of waste, cleaning and bottling out

As a general rule, noisy activities should be avoided in the early morning, late evening or at night. It is sometimes impossible to avoid commercial vehicles visiting early morning; planning for such an event is essential. Attention should be given to the siting of the loading/ unloading and storage areas.

Refuse and empty bottle/barrel storage areas should be positioned away from residential properties and preferably screened or enclosed.

Deliveries and collections should be scheduled during the day so as to avoid times that may cause noise problems, and attempts should be made to limit the number and frequency of such activities. Specific instructions could be made to suppliers on how deliveries or collections are to be made at your premises, including routes of vehicles and minimising the use of reversing alarms.

Consideration should be given to working methods, such as careful handling and the use of padded mats where beer barrels are dropped.



Working with the community

You are encouraged to build and maintain a good working relationship with local people and be proactive about controlling noise from the premises.

It is recommended that the Licensee holds discussions with local residents to inform them of the entertainment to be staged at the premises and how you plan to control the noise from the entertainment.

In the event of a complaint, the Council has a statutory duty to prevent Statutory Nuisance under the Environmental Protection Act 1990 and the Anti-Social Behaviour Act 2003, irrespective of the Licensing Act 2003 (and any changes to the Act since that date). Failure to do so may lead to action being taken by the Environmental Protection Team under these Acts. This may include the service of any Notices requiring works and undertaking legal proceedings.

If an officer is satisfied that a Statutory Nuisance exists, an Abatement Notice will be served on the person(s) causing the problem. Failure to comply with the Notice within the time specified is a criminal offence and may result in formal action in a Magistrates Court.

Further advice can be gained from the Environmental Protection Team, or the Licensing Team at Bath and North East Somerset Council.

Telephone: 01225 477551

Email: environmental_protection@bathnes.gov.uk

Telephone: 01225 477533

Email: licensing@bathnes.gov.uk



Bath & North East Somerset Council Offices

Opening Hours

Bath

Lewis House
Manvers Street
Bath
BA1 1JG

One Stop Shop Opening hours:

Monday to Thursday 8.30am to 5pm;
Friday 8.30am to 4.30pm

Keynsham Civic Centre

Market Walk,
Keynsham.
BS31 1FS

One Stop Shop Opening Hours:

Monday, Wednesday and Thursday 8.30am to 5pm;
Tuesday 8.30am to 6pm;
Friday 8.30am to 4.30pm;
Saturday 9am to 4.30pm

Midsomer Norton

The Hollies,
Midsomer Norton
BA3 2DP

One Stop Shop Opening Hours:

Monday, Wednesday and Thursday 8.30am to 5pm;
Tuesday 9.30am to 5pm;
Friday 8.30am to 4.30pm

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