

Report to Licensing Committee
Lickey End Working Mens Club, Alcester Road, Lickey End.

This report will only deal with noise caused by events within the structure of the club and not alleged nuisance from people arriving or leaving the premises or using the car park at the rear of the premises. Legislation enforced by this Section does not relate to these activities.

In May 2007 this Section was contacted by a local resident regarding noise from events held at this club. The resident lives in a small row of terraced properties on the south side of Lickey End Working Mens Club and is the only complainant we have on record regarding noise nuisance from the club.

Contact was made with the club advising them of the complaint and asking for their cooperation in resolving the situation. Diary sheets were also sent to the complainant and were returned showing the times of the alleged nuisance and stating the type of noise concerned.

As complaints continued to be received in August 2007 the decision was made to monitor the situation both by the installation of recording equipment and by a visit by an officer from this department. The club were also contacted to obtain a list of the events to be held over the following 6 – 8 weeks

Mr Robin Gundry, Environmental Health Officer, visited the premises on the evening of 21 September 2007 between 10 pm and 10.55pm when a tribute band, "Fred Zepellin", were playing. Mr Gundry did not enter the club or make them aware of his presence. Assessments were made outside the concert/function room and within the complainants property and, in Mr Gundry's opinion, the noise was a statutory nuisance as defined by Environmental Protection Act 1990.

The club secretary was advised of our findings on 24 September 2007 and a site meeting arranged to discuss the matter. At this point the club were also advised that an Abatement Notice would be served under Section 80 Environmental Protection Act 1990 to ensure to nuisance was resolved. This notice was served at the premises on 5 October 2007.

Assessments made by the club and their contractors showed that there was no sound insulation material within the roof space of the structure and that the doors on the side nearest the residential property were in poor condition. A further site meeting was held with the Club Secretary to discuss the proposed work when it was stressed that it was not possible to state that any work, whilst improving the situation, would result in the abatement of the statutory nuisance. This could only be assessed once work was completed and further monitoring had taken place.

In early December we were notified that the work had been completed and arrangements were made for Mr Goundry to carry out further monitoring on the evening of 7 December 2007 when a "Northern Soul" disco was to be held.

This monitoring was undertaken during the late evening and, in Mr Goundry's opinion, whilst there had been a great improvement in the situation there was still significant noise escaping through the doors on the side of the building and further insulation work was required in these areas.

The Club Secretary was contacted and advised of our findings and a verbal undertaking was given on behalf of the club to carry out further noise insulation work in the relevant areas.

No further contact was received from our complainant until early April 2008 when they stated that it had been relatively peaceful since late 2007 but there had been a recent significant increase in noise level.

Arrangements were again made for Mr Goundry to carry out monitoring on 4 April 2008 when the same tribute band, "Fred Zepellin", were due to appear. Visits were made during the late evening and in the opinion of Mr Goundry although there was a significant improvement since the last time he heard this band perform at the club the noise was still a statutory nuisance and was a clear contravention of the notice served on 2007.

On 7 April an email was sent to the Club Secretary advising him of Mr Goundry's findings and of comments made by the complainant. It was recommended at that time that the Club should employ a noise consultant to carry out a full assessment of the premises and recommend any further remedial work to ensure compliance with the statutory notice. It was further explained that this department would be happy to comment on these recommendations but that as the legal enforcing authority for noise nuisance we were unable to carry out the assessment for them.

A telephone call was received on 25 April 2008 from the club secretary confirming they were undertaking further noise assessments and looking into the possibility of installing a noise limiting device.

No further contact has been made with any officer of the club as we were advised that the licence was to be reconsidered by the Committee.

Richard Lovegrove
Environmental Health Officer.