

Controlling Noise from Pubs and Clubs



Pubs and clubs are a traditional part of Worcestershire's culture. In recent years and particularly since Covid we have seen a change in people's attitudes and reduced tolerance toward noise from licensed premises. There has also been a change to the way pubs and clubs are run with licensees needing to be more adventurous, branching out to new ventures to bring in income and a change to operational hours.

Each year Worcestershire Regulatory Services receives numerous complaints alleging noise nuisance from pubs and clubs. We hope that by offering this advice there will be a reduction in these and a smoother running of events for you whilst maintaining a positive relationship with your local communities.

It is important to note that, if complaints are confirmed, we always recommend that you seek professional advice from an acoustic engineer to design and implement a noise management plan. This will help ensure the right solution for your premises.

Statutory Nuisance:

Statutory Nuisance law only needs one complainant to trigger an investigation.

For a noise to amount to an actionable Statutory Nuisance, i.e. service of a Noise Abatement Notice, two conditions must be met:

- cause significant interference to the normal occupation of domestic premises by a person of average sensitivity
- caused by some unreasonable or unusual act or omission or behaviour

If the Council has gained evidence a Statutory Nuisance is taking place the Council **must** serve a Noise Abatement Notice under S80 of the Environmental Protection Act 1990. Failure to comply with an Abatement Notice is an offence and legal proceedings may result. If found guilty of an offence of this type then the maximum fine is £20,000 on commercial premises. In addition to this Environmental Health Officers can also consider asking for a review of your premises licence for failing to properly promote the licensing objective of the prevention of public nuisance.

Licence Review:

Under the Licensing Act 2003 an authorised body (Environmental Health, Police, Public Health etc.) can call a licence review. A review takes place in front of a Licensing Sub Committee when the following could happen:

- issue a warning
- modify the conditions of your premises licence
- remove a licensable activity from your licence
- remove the designated premises supervisor
- suspend your licence for a period
- revoke your licence

Pubs and clubs can potentially cause a statutory noise nuisance through:

- Amplified music – Live bands, DJ's , Sound systems
- Patron noise – noise created by customers arriving, during and leaving the premise
- Deliveries/refuse collection
- Mechanical – air-conditioning units/ extractor fans

There are four potential ways to manage the above noise sources:

- Reduce noise at source
- Prevent noise from escaping
- Management of the noise produced
- Remove source from premises

When it comes to assessing an existing or potential noise nuisance/when undertaking a noise management plan you need to consider:

- Frequency
- Duration
- Time of day
- Character/offensiveness of noise
- Character of location
- Existing ambient [background] noises
- Weather
- Wind direction



- Volume control – use of noise limiters at a level that noise cannot be heard past your boundary
- Position speakers away from residential properties and away from adjoining party walls
- Direct speakers at acoustic treated surfaces
- Using lots of small speakers rather than one or two large speakers
- Consider the type of music played – heavy metal with a big bass is likely to cause more complaints than an acoustic set
- Reduce the bass frequencies and keeping the music at a reasonable level
- Undertake regular dB [decibel – loudness of noise] boundary checks whilst the entertainment takes place and reduce the volume if music can be heard.

Noise from chillers, fans, and extraction units can be a problem especially at night when ambient noise levels are much lower.

Building and design is important in preventing noise from escaping.

- CD/V1/0425 Noise from Pubs and Clubs 2025 Page | 3

- Soundproofing – acoustic insulation walls, floors, ceilings
- Double glazing or upgrade windows to acoustic glazing
- Keep windows closed
- Use air conditioning rather than opening of windows.
- Install acoustic doors and door closers
- Minimise openings – use of lobbied entrance (double door)
- If using a marquee consider the use of acoustic marquees

Outdoor areas

Most noise complaints relate to noise generated in outdoor spaces. Noise at night when background noise reduces will sound louder and travel further. Consider following to reduce risk of complaints:

- Avoid use of loud speakers outdoors/control volume if used
- Recommend outdoor music should only be for background noise. Live bands in a residential area will likely result in complaints from nearby residents
- Consider acoustic barriers,
- Keep your customers away from residential areas – think location of smoking shelters, seating areas.
- Consider preventing customers from taking drinks into smoking areas to stop them lingering there.
- Restrict late night use of outdoor areas (may be licensing condition)
- Provide signage asking patrons to be quiet when leaving (usually a licensing condition)
- Consider restricting the number of people outside
- Train staff to control behaviour and noise level of patrons (may be licensing condition)
- Consider placing staff on the door (may be licensing condition)

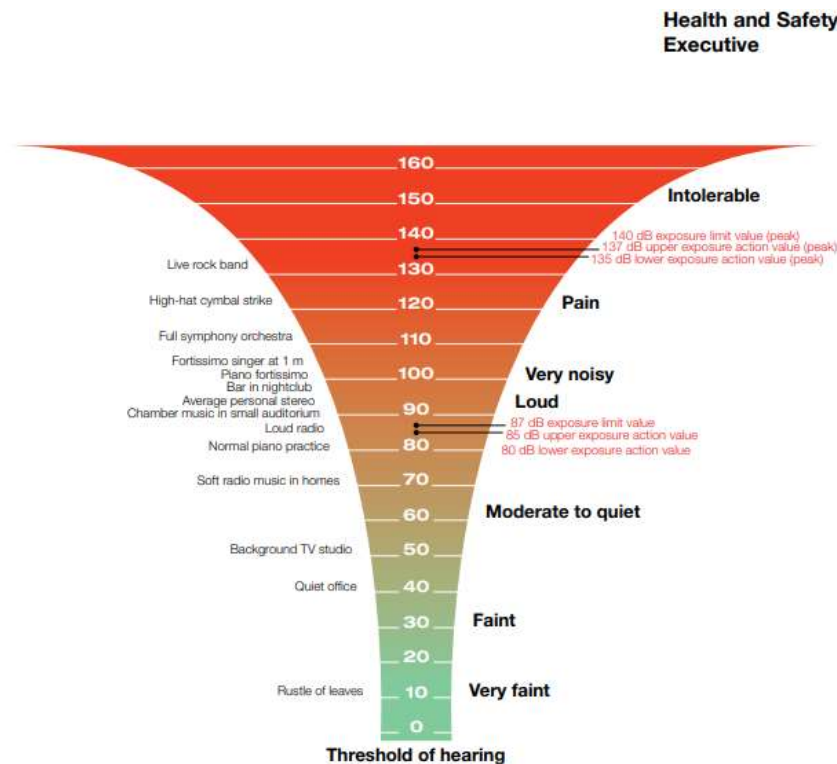


Communication:

Keep open communication with local residents – inform them of upcoming events/provide contact details so they can report concerns on the day. Ensure that any phone number provided is answered.

Impact on workforce:

You also need to consider the health and safety of your staff as per the Health and Safety at Work Act 1974 and the Control of Noise at Work Regulations 2005. Long exposure to noise at increased levels can permanently damage staff hearing as shown in the diagram below.



Sound advice Control of noise at work in music and entertainment HSE.

Summary

By following the above advice you can reduce the likelihood of complaints, avoid legal implications (Abatement Notices, Court fines and licence reviews) and maintain a positive relationship with the surrounding communities.