

Noise complaints

How we deal with issues

Noise complaints are now a challenge for all pubs and have probably replaced issues of crime and disorder as the key threat to the pub's licence.

The most common reasons behind complaints from neighbours include:

- Noise from music playing from the premises;
- Noise from beer gardens, especially during the summer months;
- Noise from the emptying of bottles into bins at the end of the night; and
- Noise from extractor fans.

How do these complaints manifest themselves?

Complaints are most commonly made to the local authority rather than directly to the licensee. The complainant will usually engage with the Environmental Health Officer and the Licensing department.

After investigation, the Environmental Health Officer may choose to serve a notice under Section 80 of the Environmental Protection Act and/or bring about a review of the premises licence.

However, complainants may choose to bring about a licence review themselves and, very occasionally, serve their own abatement notice.

What is our approach?

As soon as we are made aware of the complaint, our approach is one of constructive engagement quite often involving a site visit to meet with the Environmental Health Officer to see if we can agree measures to help mitigate the problem.

In the vast majority of cases this will be successful in preventing any sort of further action.

It is important if we are acting for a company who holds the premises licence, but does not operate the premises themselves, that there is no acceptance of liability on the part of that company, for example, a tenanted pub.

It is imperative to emphasise that the tenant is responsible for the management of the premises, not you as the licence holder.

In situations where premises are in very close proximity to neighbours and noise pollution could be a major issue, the services of an acoustic consultant may be required. They will be able to advise

on measures that can be put in place to allow for music to be played at sensible levels without causing a nuisance.

Acoustic consultants should be engaged at the earliest opportunity.

Assistance we can provide

Along with liaising with the various authorities, we can:

- Provide template noise management plans;
- Assist with the preparation and submission of minor variations to incorporate additional agreed conditions on a licence; and
- Advise on Section 80 notices and whether or not an appeal is appropriate. Our experience has highlighted that in most cases it will be.



If you require any further information or assistance, please contact the Licensing team on 01332 226 151 or email LicensingDept@flintbishop.co.uk