

# Environmental Health Statement

## Glynneath Football Club

The Environmental Health department of Neath Port Talbot County Borough Council support this application to review the licence of Glynneath Football Club. We recommend that the conditions listed at the bottom of this document be added to the licence on the grounds of the prevention of public nuisance.

The Institute of Acoustics Good Practice Guide on the Control of Noise from Pubs and Clubs (2003) provides guidance for the assessment and control of noise affecting noise-sensitive properties. This guidance considers noise from a number of sources, including amplified music.

I have summarized the document's key points in relation to this application below:

- Amplified and non-amplified music are a common source of noise disturbance arising from pub, clubs, etc.
- For premises where entertainment takes place on a regular basis, music and associated sources should not be audible inside noise-sensitive property at any time.
- For premises where entertainment takes place less frequently, music and associated sources should not be audible inside noise-sensitive property between 23:00 and 07:00 hours.
- The levels of noise emanating from sources outside of buildings can often be high because there is no building envelope to attenuate the sound. Beer gardens and marquees are cited as typical examples.



There are roughly 23 residential properties and a residential care facility within 50 metres of the premises. The club has two main entrances to the front and rear of the premises.

The Local Authority's Environmental Health department have received 17 formal complaints since May 2021. All complaints relate to loud music emanating from the premises affecting complainants within their properties. There are also repeated references to anti-social behaviour from patrons, amplified music in the rear beer garden, and noise arising from car stereo systems from patrons attending the premises.

Officers of the Environmental Health department undertook an investigation in relation to complaints. During one visit to the premises, evidence demonstrating loud amplified music emanating from Glynneath Football Club was sufficient as to cause a statutory nuisance (Exhibit 1 & 2) **[Report appendix 11 and 12]** Following this visit, an abatement notice was served on the 15<sup>th</sup> of September 2021 in accordance with section 80 of the Environmental Protection Act (1990). The abatement notice was not appealed and remains permanently in force (Exhibit 3) **[Report appendix 13]**.

It is worth noting that during the course of this visit, the officer witnessed an altercation involving a large group of males that started in the beer garden and spilled into the street.

This department operates proactive inspections of licensed premises within the area in order to ensure compliance with all active notices.

During one of these proactive visits, I attended High Street, Glynneath on the 8<sup>th</sup> of April 2022 at 23:20. There were 15-20 people congregating outside. The music volume was excessive with the front door to premises closed. The music was even louder each time the door opened. The bass thudding was audible around 100m up the road. Patrons were leaning on the front walls of neighbouring properties on High Street, Glynneath. Patrons were being loud outside the front door on High Street, Glynneath. I could not see any door staff at this time.

I attended Glynneath Football Club on the 9<sup>th</sup> of April 2022 at 23:10. The music was not as loud as the previous night, though still clearly audible in the street outside. However, as the front door was open after 23:00, this demonstrates a lack of management in the control of noise from the premises.

On the 14<sup>th</sup> of April 2022, Peter Marlough and I conducted a joint visit to Glynneath Football Club. The purpose of this visit was to address the ongoing issues relating to noise and antisocial behaviour. Upon our arrival, we met with the DPS, Mr. Johnny Harris, and several other staff members. The staff insisted the premises was fully soundproofed. Upon inspecting the premises, I noted that there was a fixed sound system complete with hardwired speakers throughout the building. During this visit, I noted that there was a mixing table and speakers, independent of the hardwired sound system. Mr. Harris outlined that the equipment belonged to the resident DJ who frequently would put on entertainment for the premises.

From these observations, I concluded that while the staff could potentially achieve a relative degree of control utilizing the fabric of the building, and having a set volume for the hardwired speakers, the staff have a relatively low degree of control over the volume and bass levels of acts performing at the premises. Furthermore, any sound attenuation afforded by the fabric of the building is compromised upon the front or rear door being opened. Given the location of the club, in a semi-rural town, on a residential street, the only way to prevent live music from creating a noise nuisance would be to have a significantly high degree of managerial control. I outlined these issues to the

staff, at which point staff expressed that they would be uncomfortable intervening in visiting live acts in order to reduce volume levels.

Whilst at the premises I discussed several issues including antisocial behaviour around the beer garden, and noise arising from car stereo systems from people interacting with patrons. At this point I stressed that the premises requires SIA licensed officers in order to prevent frequent disruption to neighbouring premises. Mr. Harris repeatedly outlined the difficulties in acquiring SIA licensed personnel on a regular basis.

On the 9<sup>th</sup> of September 2022, several complainants outlined that most events for Glynneath Football Club were now being hosted at another premises. The complainant outlined that the noise was still severe, but much less frequent compared to the previous months. All other complainants repeated this sentiment.

Despite the reduced frequency of activity at the premises, we still receive complaints in relation to events and private functions.

On the 18<sup>th</sup> and 25<sup>th</sup> of November 2023, my Colleague Ryan Shoemark attended the area of Glynneath Football Club to proactively investigate ongoing complaints regarding noise nuisance arising from amplified music at the premises (Exhibit 4) **[Report appendix 14]**.

On both occasions, amplified music from the premises could clearly be heard at 50 metres away. This demonstrates that amplified music far in excess of what is acceptable is still arising from activity at the Football Club.

In conclusion, after several complaints were made to the Environmental Health Department, following an investigation, a section 80 abatement notice was served on Glynneath Football Club in relation to statutory noise nuisance. Despite this notice being in place, there has been no perceivable improvement to either the volumes levels of noise emanating from this premises, or the managerial controls in place to prevent noise affecting nearby residential properties. Though the frequency at which the Club hosts events seems to have decreased since our initial investigation, our recent site visits illustrate that nuisance arising from this premises is still an ongoing issue.

Given the history of public nuisance arising from amplified music at the premises, the Environmental Health department of the local authority recommend the following conditions:

#### **Condition 1**

By virtue of S177 (A) the Licensing Act 2003 the conditions of the Premises Licence relating to regulated entertainment shall be in force between 8.00 hours and 23.00 hours.

#### **Condition 2**

There shall be no external amplified sound (i.e. in the beer garden, car park, or anywhere else outside the curtilage of the building). This provision also includes portable amplifiers and Bluetooth speakers from both staff and customers.

#### **Condition 3**

There shall be no regulated entertainment in the form of live or recorded music at the premises until such time that the licence holder and/or owner of the premises commissions an independent acoustic consultant to undertake a Noise Impact Assessment and the recommended control measures contained within the assessment are implemented. A copy of the Noise Impact Assessment along with supporting evidence that the requirements have been complied with shall be provided to the Local Authority for written approval prior to the commencement of regulated entertainment.

To comply with the above the following criteria must be met;

- The report must be carried out by an acoustic consultant who shall be a member of the Association of Noise Consultants and a member of the Institute of Acoustics.
- The methodology for the noise assessment shall accord with current UK guidance and British Standards and agreed with the Local Authority in advance of the assessment commencing.
- Prior to implementation of the control measures the Local Authority shall be given the opportunity to review and comment on the Noise Impact Assessment and its recommendations.

#### **Condition 4**

Utilizing the report generated by **Condition 3** above, install a Noise Limiting Device. The Noise Limiting Device must be fully functional and in proper working order at all times during the playing of recorded music and retained as such thereafter. If the noise limiting device breaks down the responsible person shall inform the Local Planning Authority as soon as reasonably practicable. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. Seal the Noise Limiting Device with a tamper proof seal and retain as such thereafter.

**Condition 5**

The Premises Licence Holder or a nominated person shall carry out proactive noise observations outside the premises at least once an hour during the provision of regulated entertainment, and take any necessary remedial action. A written record of proactive external noise assessments and, where applicable, remedial actions taken shall be kept for a minimum of 31 days from the date of the last entry in the record and this record shall be available for inspection on demand by authorised council officers at all times the premises are open.

**Condition 6**

Speakers shall not be located in the entrance and exit of the premises or outside the building.

**Condition 7**

All windows and external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.