

Operating Procedure – Noise Complaints

February 2026

Revision 6

1. Purpose

- 1.1 To guide Licensing Standards officers responding to noise complaints regarding amplified music or vocals from premises licensed for the sale of alcohol.

2. Scope

- 2.1 Applies to all noise complaints for premises licensed for the sale of alcohol with an attached Noise Condition:
- All amplified music and vocals shall be so controlled as to be inaudible in neighbouring residential premises (**inaudibility condition**)
 - All amplified music and vocals shall be so controlled so as not to be an audible nuisance in neighbouring residential premises (**audible nuisance condition**)
 - All amplified music and vocals to be controlled to the satisfaction of the Director of Place (**pool condition 15**)
 - All amplified music and vocals shall be controlled as to be inaudible in the nearest noise sensitive premises after 2300 hours (**pool condition 16**)
 - All amplified music and vocals shall be controlled as to be inaudible in the nearest noise sensitive premises (**pool condition 17**)
 - Amplified music and vocals are not permitted (**pool condition 18**)
 - Music and vocals performances are not permitted (**pool condition 19**)
- 2.2 Amplified music and vocals covers all amplified recorded music, live music, karaoke, amplified spoken word (use of a microphone), TV, jukebox, etc
- 2.3 Applies to both witnessed and unwitnessed noise complaints

3. Responsibilities

- 3.1 When on duty, LSOs are on call to respond to complaints regarding amplified music from licensed premises. This falls within LSO remit due to the inclusion of a local licence condition relating to noise.
- 3.2 Officers are responsible for ensuring that the on duty mobile phone is charged and ready to receive calls for the duration of their shift.
- 3.3 Officers are responsible for establishing which noise condition is attached to the relevant licence. This condition should be clearly communicated and explained to both the client and the premises/licence holder

- 3.4 All communications in reference to noise complaints should be recorded on APP. This includes all calls, voicemails, emails and visits (client and premises)

4. Procedure for witnessed complaints

General

- 4.1 Clients are instructed to report disturbances of amplified music by calling the customer contact centre. The contact centre team member who receives the complaint will call the LSO on duty mobile phone.

- 4.2 Once details are received, the on-duty LSOs should call client at the earliest convenience to confirm:

- 1) the source of the complaint is a licensed premises
- 2) the noise is ongoing
- 3) the disturbance involves amplified music

If the disturbance is not from a licensed premises or does not involve amplified music, LSO remit should be explained to the client.

If the disturbance is from a licensed premises, is ongoing and involves amplified music, LSOs should ensure the client understands the requirement to witness the noise from within their property and obtain permission to attend.

- 4.3 Where multiple complaints are received on the same day, clients should be contacted promptly and informed of their position in the queue, including how many calls are being dealt with before theirs and if possible, an estimate of how long it may take to get to theirs.
- 4.4 LSO shall attend and attempt to 'witness' the noise from within the client's property, provided the client consents.
- 4.5 Residents have the right to open/close their window for ventilation purposes or to keep out the cold as they see fit. Sometimes this will shut the music noise in and any masking traffic noise out and sometimes it will shut the noise out, depending upon where the source of the noise is located. This makes no difference; residents should have complete control of their windows. Where it is decided that the windows should be open the LSO should consider the Inaudibility / Audible Nuisance with the window/s open between 4 and 6 inches.
- 4.6 In recognition of the Agent of Change principle, it may be pertinent to establish if any factors have recently changed that may have contributed to the noise disturbance. For example have adjoining premises recently been converted from commercial to domestic occupation or has the venue only recently introduced amplified music events etc.

Premises with Inaudibility Condition attached.

- 4.7 Where any amplified music or vocal is heard within the residential property, the LSOs should approach the venue, advise them that a noise complaint has been received and seek their cooperation in finding an appropriate resolution. Resolution may include:
- Requesting the venue reduce the volume
 - Closing doors/windows
 - Adjusting bass
- 4.8 LSO should only attempt to witness noise in habitable areas within a residence. This does not include hallways, cupboards, kitchens (unless combined with a dining room/area), bathrooms or areas within the curtilage of a property, e.g. stairwells.
- 4.9 In the case of ongoing witnessed noise complaints, the LSO case officer should discuss complaints with the premises to explore premises intended long term solutions. The premises should be informed that failure to comply with their noise condition may result in the issuing of a section 14 compliance notice. Officers should assist by offering the following where appropriate:
- Level sets
 - Mediation
- 4.10 Complaints consisting of five or more breaches provide sufficient data for the LSO to consider next steps or options. Five or more witnessed complaints should be enough to establish a pattern, assess improvements or deterioration and inform further action. All interactions with premises/staff must be recorded on APP in detail, so it will be apparent how cooperative the premises has been.
- 4.11 Where premises are failing to cooperate or mitigate disturbances, a Section 14 Compliance Notice should be considered by the case officer. If the lead LSO is unsure if a compliance notice is appropriate, the matter should be discussed with the Team Leader.
- 4.12 If a compliance notice has been served and complaints continue to be witnessed, the matter should be referred to the Licensing Board for their Review.
- 4.13 Residents suffering noise disturbances from licensed should also be reminded of their right to independently request a Licensing Board review of the premises licence in light of any complaints or disturbance caused.

Premises with Audible Nuisance Condition attached.

- 4.14 The Level of the noise intrusion should be graded and recorded on APP as per the guidance table, Appendix 1. LSOs attending any noise complaint will discuss the grading and come to a consensus regarding the level.

- 4.15 For any noise intrusion Graded 1 – 4 heard within the residential property, the LSOs should approach the venue, advise them that a noise complaint has been received and seek their cooperation in finding an appropriate resolution. Resolution may include:
- Requesting the venue reduce the volume
 - Closing doors/windows
 - Adjusting bass
- 4.16 LSO should only attempt to witness noise in habitable areas within a residence. This does not include hallways, cupboards, kitchens (unless combined with a dining room/area), bathrooms or areas within the curtilage of a property, e.g. stairwells.
- 4.17 Where the noise disturbance complaint cannot be resolved with the management of the licensed premises or the noise complaints from the premises occur regularly or frequently, consideration should be given as to whether the disturbance constitutes an Audible Nuisance. Examples of what might be considered an Audible Nuisance are given in Guidance Table. These examples should be used as a guide only and considerations should be given to client's individual circumstances such as the impact it has on their living.
- 4.18 If sufficient evidence is gathered to constitute an Audible Nuisance, in the opinion of the LSO case officer, mediation between the resident and licensed premises should be considered, but only where appropriate. If mediation is unsuccessful or deemed inappropriate and the noise disturbance continues, a section 14 Compliance Notice should be served.
- 4.19 In the event of continuing complaints constituting an Audible Nuisance in breach of the Compliance Notice then the matter should be referred to the Board for their Review.

Occasional licence noise conditions

All amplified music and vocals to be controlled to the satisfaction of the Director of Place (pool condition 15)

- 4.20 What this means in practice is LSOs will use a combination of factors to assess whether the premises is complying with this noise condition from a residential premises. This includes the location, the nature of the venue, the time of day, background noise and an assessment of the level of noise and impact on any person who is being affected by the amplified music and vocals.
- 4.21 LSO should only attempt to witness noise in habitable areas within a residence. This does not include hallways, cupboards, kitchens (unless combined with a dining room/area), bathrooms or areas within the curtilage of a property, e.g. stairwells.

- 4.22 Where any amplified music or vocal is heard within the residential property and LSOs deem this a breach, the LSOs should approach the venue, advise them that a noise complaint has been received and seek their cooperation in finding an appropriate resolution. Resolution may include:
- Requesting the venue reduce the volume
 - Closing doors/windows
 - Adjusting bass
 - Relocation of speakers
- 4.23 If there is a Public Entertainment Licence in place advise EHOs of complaint as they may be best placed to deal with complaint or event.

All amplified music and vocals shall be controlled as to be inaudible in the nearest noise sensitive premises after 2300 hours (pool condition 16)

All amplified music and vocals shall be controlled as to be inaudible in the nearest noise sensitive premises (pool condition 17)

- 4.24 These conditions should be addressed as directed in 4.6 above but will also extend beyond residential homes and will include:
- Hospitals, clinics
 - Nursing Homes
 - Residential hostels
 - Places of worship
 - Libraries
 - Court buildings
 - Schools, colleges

Amplified music and vocals are not permitted (pool condition 18)

Music and vocals performances are not permitted (pool condition 19)

- 4.25 Where breaches of these conditions are witnessed LSOs should approach premises and remind them of the condition attached to their licence and request source of breach is turned off.

5. Procedure for unwitnessed complaints

- 5.1 When a call is received from a resident and they either do not agree to LSO attendance or, if when attending a property, the noise is not witnessed, LSOs should explain to the resident that their complaint has been received and logged but no action can be taken as the breach of condition cannot be corroborated

- 5.2 LSOs should contact the premises to inform the premises that a complaint has been received but not witnessed at the earliest opportunity
- 5.3 LSOs must not request or instruct the premises to reduce volume
- 5.4 If the LSO attending the property is the lead LSO, they should notify the premises of the complaint, at the time of the complaint if they believe this is appropriate
- 5.5 If the LSO attending is not the lead LSO for the premises, they should record and refer the matter back to the lead LSO to follow up further as the lead LSO may have already arranged discussions with the DPM.

APPENDIX 1 - Audible Nuisance Guidance Table

Noise Level	Description	Examples of Noise level	Frequency likely to present an Audible Nuisance	
			Before 11pm	After 11pm
Level 0	No noise	<ul style="list-style-type: none"> no noise audible to LSO 	Not applicable	Not applicable
Level 1	Barely noticeable	<ul style="list-style-type: none"> would strain to hear noise level of noise would be unlikely to interfere with sleep / relaxation 	On nightly basis before 11pm then it is unlikely to be an audible nuisance.	4 to 7 times a week after 11pm could be considered to be an audible nuisance
Level 2	Noticeable	<ul style="list-style-type: none"> would possibly be aware of noise when carrying out daily living / normal conversation may be difficult to get to sleep e.g. faint bass beat 	4 to 7 times a week before 11pm could be considered to be an audible nuisance.	2 or 3 times a week after 11pm could be considered to be an audible nuisance.
Level 3	Intrusive	<ul style="list-style-type: none"> interferes with conversation / daily living would be difficult to go to sleep e.g. obvious bass beat 	Once a week, before or after 11pm, could be considered an audible nuisance.	
Level 4	Very intrusive	<ul style="list-style-type: none"> can hear all components of the music (bass, music, vocals) able to name the song highly likely to interfere with sleep e.g. loud bass beat 	Once every four weeks, before or after 11pm, could be considered to be an audible nuisance.	