

Heavitree and Wonford United Services Club – Licensing Act Representation, Environmental Health & Community Safety, Exeter City Council

1. I am Simon Ruddy, Principal Environmental Health Officer of Exeter City Council's Business Regulation Team. This statement is in support of my representation relating to a review of the Club Premises Certificate of Heavitree and Wonford United Services Club, Wonford Street Exeter; it summarises complaints received by Exeter City Council's Environmental Health & Community Safety Service regarding alleged statutory noise and public nuisance issues at the Club from April 2022 onwards.
2. On **Monday 25 April 2022**, Environmental Health and Community Safety's support team received a call from a resident of Amersham Court regarding late night music at weekends from Heavitree & Wonford United Services Club. The complainant alleged that he was disturbed by music as late as midnight and that the situation was unacceptable, particularly given that Amersham Court consists of sheltered accommodation for the elderly.
3. I sent a standard noise complaint letter to the manager of the Club, dated **29 April 2022**, setting out our approach to investigating alleged statutory noise nuisance, reminding them that the prevention of public nuisance was a licensing objective and asking them to contact me to discuss the matter further. A copy of this letter is attached, ref. SR/1.
4. I also sent a letter and some Noise Complaint Record Forms to the complainant, asking him to log any particularly loud events over the next few weeks.
5. On **Monday 9 May 2022**, I received a phone call from the complainant who told me that there were regular – often weekly – discos at the Club, usually on Friday and Saturday night, until 23:30. He said that, most recently he had been disturbed on Friday 6 May, 19:30 until 23:30. The music and the sound of the DJ's were intrusive, he claimed.
6. I checked the licensing register; the Club has a premises certificate for live music until 23:00 on a Friday, 23:30 on a Saturday but there was no mention of recorded music. I asked Alan Drake, the then Principal Licensing Officer, to make enquiries as to whether a licence was required for amplified music. Alan told me that it depended on how the disco was organised; he confirmed in an email dated 11 May 2022 that he had written to the Club, reminding them that a club operating under a premises certificate should not be run as a commercial enterprise.
7. On **Thursday 9 June 2022**, I received a completed Noise Complaint Record Form from the complainant, a copy of which is attached, ref. SR/2. The complainant recorded three occasions when he was kept awake by (his words) *constant loud music*:
 - a. Friday 6 May, 19:30 until 23:35
 - b. Friday 3 June, 20:00 until 23:30
 - c. Saturday 4 June, 19:00 until 23:15
8. (Friday 3 June and Saturday 4 June were Jubilee Bank Holiday Weekend dates, which the complainant acknowledged).

9. As I had received no reply from my letter to the Club on 29 April, on **10 June 2022** I called the only contact that I could find on our Environmental Health Database - a [REDACTED], whose name was on the Club's food premises register. Mr [REDACTED] claimed that he was no longer directly involved with the Club but was aware of the noise issues that he thought, in part, might be due to the door being left open. He said that he would talk to the committee about the issue, and then find a name and contact number of somebody with whom I could discuss matters.
10. On **Monday 27 June 2022**, the complainant called me to advise that he had been disturbed by loud music on:
- a. Friday 17 June, 20:00 to 23:30
 - b. Saturday 25 June, 18:00 to 23:10
 - c. Sunday 26 June, 15:15 onwards (he said that he went out; it had stopped on his return)
11. He said that there had also been live music on Friday 24 June but this wasn't too loud.
12. Also on **Monday 27 June 2022** a second complainant – a resident of Wonford Street, called me. She claimed there had been issues with the Club since the lifting of Covid restrictions, including loud music, shouting and general anti-social behaviour in the street. She said there was loud music on the afternoon on Sunday 26 June although a live music event on Friday 24 June was quiet, suggesting that the Club is able to run events without causing a nuisance.
13. I advised the complainant that she could use our Noise App to record any future nuisance type behaviour and submit these to us.
14. The Club's Facebook page listed the following events:
- *Saturday 7 May 19:30 Karaoke*
 - *Thursday 2 June 18:00 Disco - DK Entertainment Co.*
 - *Friday 3 June Disco 20:00 - 80's disco night with Rhys**
 - *Sunday 5 June - 13:50 - Sunday funday - bingo with cash prizes, win your drink, family requests with Rhys*
 - *Friday 10 June 19:00 - Fundraiser and raffle*
 - *Friday 17 June - 19:00 Karaoke**
 - *Friday 24 20:00 June Old Skool Rox*
 - *Sunday 26 June 16:00 Jai Rocks (100 years celebration of club)**
 - *Friday 8 July 20:00 Claire Bell*
- (*events that generated complaints)
15. I had still heard nothing from the Club by this stage so called [REDACTED] again on **Wednesday 29 June 2022**. Mr [REDACTED] said that it was the Club's 100th anniversary, so there had been a number of celebratory events in June. He told me the secretary was a [REDACTED] and that he would ask him to call me.

16. Also on **Wednesday 29 June 2022** a third complainant – another resident of Wonford Street - called to complain about (his words) *loud disco or karaoke music every Friday and Saturday night and all day Sunday*. He claimed that the Club had front and side doors open and that there were smokers outside and *unsupervised shouting and swearing until late at night*.
17. I sent this complainant a letter and Noise Record Forms.
18. On **Friday 1 July 2022** a fourth complainant – another resident of Wonford Street- contacted us about noise on the weekend of 24-26 June. I sent this complainant a letter and Noise Record Forms.
19. I then sent a second letter, dated 29 June 2022, to [REDACTED], the name given to me by [REDACTED] as Club Secretary, to advise him of these complaints and, as before, set out our approach to investigating nuisance – both statutory and public. I asked Mr [REDACTED] to contact me to discuss the matter. A copy of this letter, reference SR/3, is attached.
20. To this date, I have received no contact from anybody at the Club.
21. On **Monday 18 July 2022**, I received a further phone call from one of the complainants regarding loud music on the evening of Saturday 16 July; the complainant alleged that the Club's doors and windows were open. The following day another one of the complainants emailed to say that loud music on the afternoon of Sunday 17 July prevented him from enjoying his garden; that he had to sit inside with the windows closed, whilst the Club windows were open. The complainant remarked how he thought the Club wasn't being run as a club anymore, that it was, in his opinion, more like a pub.
22. On **Tuesday 19 July 2022**, early afternoon, I received a call from one of the complainants advising that there were a number of drinkers outside the club. I walked past the premises at 13:50; there were approximately 20 people standing outside; I could hear general chitchat from the group from my position on the opposite side of the street but there was no music; in my opinion, this did not constitute a statutory noise nuisance or public nuisance.
23. On **Friday 22 July 2022**, a fifth complainant – another resident of Wonford Street – contacted us about noise from the Club, claiming it was an issue *from Thursday until Sunday*. The complainant was also not happy about the noise made by members leaving the Club. I sent this complainant a letter and Noise Record Forms.
24. Also on **Friday 22 July 2022**, at 22:01, one of the complainants uploaded a Noise App recording of live music. The upload stated that the recording was made in the hallway. Loud music (particularly bass) and several people talking can be clearly heard on the recording. A copy of this recording is available ref. SR/4.
25. On **Saturday 23 July 2022**, at 22:15, a Noise App recording of live music was uploaded by the same complainant. The upload states that it was recorded in the bedroom and contains the comment *trying to sleep, need to put earplugs in*. What sounds like muffled amplified singing plus general voices (including those that appear to be children's) can be heard. A copy of this recording is available, ref. SR/5.

26. A second Noise App recording was recorded at 23:02 on the same night. The upload states that it was recorded in the bedroom and says *people outside club talking loudly trying to sleep*.
27. On **Friday 29 July 2022**, at 22:13 a Noise App recording was uploaded from another complainant. The comment with the upload was *I can hear the loud talking and the swearing in the conversation as I'm going to settle in bed*. In the recording, a conversation between two males can be clearly heard. A copy of this recording is available, ref. SR/6.
28. On **Saturday 6 August 2022**, at 19:45, a Noise App recording of live music was uploaded from the same complaint who uploaded on 22 and 23 July. The recording, which the app says was made in the hallway, contains muffled bass and persons talking/shouting/screaming (possibly a child screaming). A copy of this recording is available, ref. SR/7.
29. Another recording was uploaded at 22:12 on the same evening. The upload states that it was made in the bedroom; muffled bass and a conversation between two males can be heard, with other voices in the background. A copy of this recording is available, ref. SR/8.
30. A final recording was made at 23:08. The upload states that the recording was made in the bedroom and contains the comment *after spending an evening with headphones on now trying to sleep hot night but have to have windows closed very loud music and drunk people outside shouting*. Bass can be heard in the recording with the sound of people talking above this. A copy of this recording is available, ref. SR/9.
31. On **Saturday 20 August 2022** at 20:10, I cycled past and stopped outside the Club; there were two or three people standing outside by the fence. The front (Wonford Street) door was closed, the side door open. There was no audible music at the time.
32. On **Sunday 21 August 2022** at 18:45, I walked past the Club, which was open but quiet. There was nobody outside the Club at the time.
33. On **Tuesday 30 August 2022** (after the August Bank Holiday weekend), I received two more complaints from Wonford Street residents about loud music and anti-social behaviour from the Club. One complainant said that there was loud music from 14:00 on 28 August which meant that they were unable to enjoy their home or garden. There were also alleged issues with occasional noise after the club closed at 23:00 and reference to a fight and argument at 00:30 one night.
34. The complainant asked if something had happened regarding the licensing of the Club, as they had never known conditions like this in the 24 years of living in Wonford Street.
35. Both of these complainants complained about the noise from empty bottles being emptied into bins after closing time.
36. In summary – since late April, I have received complaints of alleged noise and anti-social behaviour from seven local residents. The Club is surrounded on all sides by residential property and a common complaint relates to the noise of amplified music escaping from

- open doors and windows, particularly on Friday and Saturday nights. There is also a second issue around anti-social behaviour from persons standing outside or leaving the premises.
37. Wonford Street is predominantly residential, narrow and doubtless has a low background noise level at night so the potential for disturbance is greater than, say, a city-centre location.
 38. As far as I am aware, the only outside space to the Club is at front and down one side of the building, where it would appear people stand to get fresh air. A Street View image, ref. SR/10 is attached which shows the proximity to nearby residential properties.
 39. I have received complaints of noise from amplified music on one occasion in May, five in June, four in July and two (to date) in August. I have monitored the Club from Wonford Street on three occasions but have yet to witness the noise myself; however the Noise App recordings made by two of the complainants give a good indication of the disturbance that be caused by both amplified music and people talking/shouting/screaming.
 40. It is extremely disappointing that, despite two letters and phone calls, nobody from the Club's committee has contacted me to discuss the matter.
 41. I believe that further public nuisance issues could be mitigated by keeping doors and windows closed whenever amplified music is played; one must be mindful, however, that good ventilation is important when it comes to controlling the risk from Covid - a balance needs to be struck so that airflow is not restricted.
 42. It may also be prudent to consider whether access to the outside area is restricted in some way - perhaps a limit to the number of people outside at any given time, particularly later in the evening (say after 21:00).
 43. Two complainants mentioned noise from the disposal of empty bottles late at night. This activity should be scheduled at a time of day that is not likely to cause noise issues.
 44. If these simple actions prove ineffective, then specialist sound insulation and other changes to the building structure, design and layout may be required to sufficiently control noise. In this case, the advice of an acoustic consultant is important to ensure that adequate measures are implemented.