

Statement of witness

Statement of: Simon Philip Ruddy

Age of witness: Over 18

This statement, consisting of 4 pages, signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 8 September 2022

Signed:



1. I am a Principal Environmental Health Officer of Exeter City Council, with whom I have worked for 31 years. My role involves, amongst other things, the investigation of statutory nuisance under the Environmental Protection Act 1990. I am also able to comment on matters under the Licensing Act 2003 as a member of a Responsible Authority
2. Exeter City Council uses an app called *The Noise App* that allows persons troubled by noise to make 30-second recordings on their mobile device at any time; these are uploaded to a server to which an investigating officer has access, allowing the recordings to be listened to later. The recordings use the mobile devices' locations settings to give an indication as to where they were made.
3. I have downloaded all of the *Noise App* recordings submitted in respect of noise from Heavitree Social Club since June 2022; these originate from two complainants, both close neighbours of the Club. The recordings are available as wave sound files, of which I will now give a summary.
4. **SR/1** Sunday 12 June at 10:13 – amplified music (from a radio, according to the complainant) and children's voices
5. **SR/2** Sunday 12 June at 12:18 – amplified music and children's voices

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6. **SR/3** Friday 17 June at 19:57 – adult and children’s voices.
7. **SR/4** Friday 17 June at 20:57 – adult and children’s voices, bass from music.
8. **SR/5** Friday 17 June at 22:13 – shouting/screaming, bass from music.
9. When I later spoke to Mr Hunt about this noise complaint, he told me that the event was a football presentation for a local children’s team.
10. **SR/6** Sunday 10 July at 14:00 – band playing *The Power of Love*.
11. **SR/7** Sunday 10 July at 14:02 – more live music
12. **SR/8** Sunday 10 July at 14:04 – band playing *Walking on Sunshine*. The complainant notes that this was recorded from his children’s bedroom.
13. **SR/9** Sunday 10 July at 14:12 – band playing *Everybody wants to Rule the World*. The complainant states *live amplified music 10m from my kitchen. Audible throughout the house with doors shut*.
14. A check on the Club’s Facebook page confirmed that a band called *Decade* were playing in the Club’s garden on Sunday 10 July.
15. **SR/10** Friday 15 July at 23:16 – voices and music (*We Like to Party* by Vengaboys). The complainant states *people are in the garden, the hall doors are open and the bass is resonating throughout my house*.
16. **SR/11** Friday 15 July at 23:22 – voices and bass from music. The complainant states that this was recorded from his child’s bedroom.
17. **SR/12** Friday 15 July at 23:24 – voices and bass from music.
18. I was later informed that Officers from Environmental Health and Community Safety, carrying out routine noise monitoring, had parked in the Club’s car park on Friday 15 July between 23:00 and 23:20. I was provided with a list of songs that could be heard at the time, the last of these being the Vengaboys song, recorded by a complainant ref SR/10.

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19. Mr Hunt informed me by telephone that this event had been a wedding disco and that the organisers had arranged for their own DJ, rather than using one of his usual people.
20. **SR/13** Friday 29 July at 15:21 - Commercial radio advert (for AO.com).
21. I was informed that, on the afternoon of Friday 29 July, Environmental Health Technician Ben Turner installed noise-monitoring equipment (a MATRON) in the dining room of one of the complainants. The following week, I saw a copy of Ben's analysis of the recordings made on this machine - see his statement for more detail.
22. A check on the Club's Facebook page confirmed that a band called The Bail Jumpers were playing in the Club's garden on Sunday 31 July. I have heard the MATRON recordings made on this day – there are six recordings of live music between 14:28 and 16:34. Thirty seconds into the 16:34 recording, the complainant can be heard opening a door, or similar; the music (*Smoke on the Water*) becomes extremely loud at this point
23. The MATRON also records music and voices on the previous day (Saturday 30 July) at 17:17 and 17:21.
24. The majority of music on Saturday 30 and Sunday 31 July was recorded on the MATRON; however one recording was uploaded via the Noise App - **SR/14** Sunday 31 July at 16:35 – live music (the complainant states *extremely loud music in dining room*).
25. I have also seen two lots of mobile phone video footage submitted by a complainant, taken at the end of what appears to be Glenmore Road on Sunday 31 July at 15:15. A band can be clearly heard playing rock music in both recordings.
26. I have also seen mobile phone video footage submitted by a complainant, taken at the end of what appears to be Glenmore Road on Sunday 7 August, at some time between 14:00 and 17:00. A band playing *Another Brick in the Wall Part 2* can be clearly heard. A band called *Chill* were playing on the Club garden on that day, according to Facebook.
27. **SR/15** Monday 8 August 15:40 – Commercial radio advert and children's voices.

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RESTRICTED (when complete)

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28. **SR/16** Monday 8 August 16:07 – Commercial radio (recorded in the hallway, according to the complainant).
29. **SR/17** Sunday 28 August 14:57 – band playing *Big Love*.
30. **SR/18** Sunday 28 August 15:01 – band playing *Lyin' eyes*.
31. A check on the Club's Facebook page confirmed that a band called Jai Rocks were playing in the Club's garden on Sunday 28 August.

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