

## NEW NOISE LEGISLATION FOR THE ENTERTAINMENT INDUSTRY

Two recent items of noise legislation have been extended to apply to the entertainment industry and will extend the regulatory control of noise in the industry. The Noise Act has been amended by the Clean Neighbourhoods and Environment Act 2005 so that residents can complain about night noise from a licensed premises or where a temporary event notice has effect, and the local authority can investigate using the provisions of this act. This part of the Act relating to licensed premises came in to effect on 28 February 2008 and provides a method for local authorities to deal with noise complaints about licensed premises without having to prove statutory nuisance. The local authority can issue a warning notice, and then if measurements demonstrate that the permitted noise level is exceeded, can issue a fixed penalty notice for the offence or can prosecute for the offence. It remains to be seen how the legislation will be implemented across the country, but operators need to make staff aware

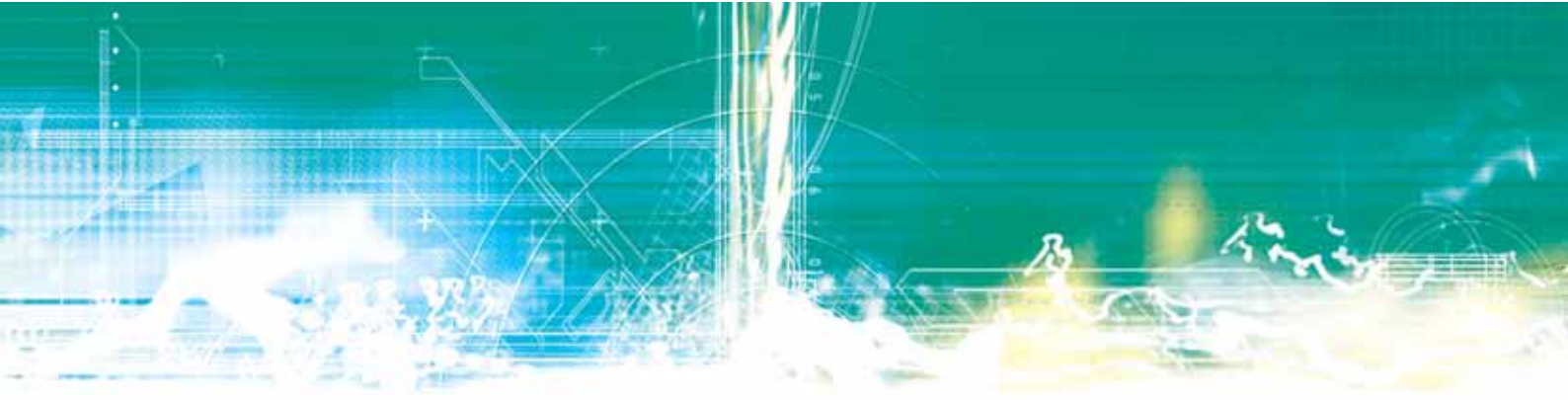
that the warning notices need to be taken seriously, and the noise reduced immediately to avoid financial penalty. The Act allows the local authority to issue a fixed penalty notice if the noise is not mitigated within 10 minutes of the warning notice being served!

The second item of legislation is The Noise at Work Regulations 2005, which came in to force for the music and entertainment sectors on 6 April 2008. The Regulations relate to the need to carry out noise assessments, health assessments and noise mitigation measures where employees are exposed to high levels of noise. The noise limits



are 5 dB lower than the previous

Regulations and will impact on virtually all licensed premises that provide music as part of the entertainment, and also some that do not use music. The trigger level for an assessment can be exceeded in a busy bar with people talking but no music. The implications of the legislation can be minimised by careful design and implementation of sound systems, but it is likely that many premises will still need a noise assessment and noise action plan to be developed. Hepworth Acoustics can assist by providing assessments for individual premises or by assisting in developing an in-house methodology for implementation by Health and Safety staff.



## 4000 PART E TESTS IN 4 YEARS

The revision of Approved Document E of the Building Regulations in 2004 introduced a requirement for sound insulation testing of walls and floors in new and converted residential properties. Hepworth Acoustics has responded to this requirement by providing sound insulation testing approved under the ANC Registration Scheme from each of our 9 offices. The evidence from our test results is that the requirement for testing



has helped to contribute to a much improved standard of sound insulation. Prior to the change it is estimated that up to 40% of completed properties did not meet the sound insulation requirements. The testing carried out by Hepworths since 2004 has indicated that around 97% of properties are now meeting the Building Regulations requirements.

We have carried out over 4,000 tests since 2004, and a number of trends have emerged. The highest percentage failure rate occurs with the impact test carried out on floors, with nearly 5% of floors failing this test last year. This type of failure is much more prevalent with new build than conversions. Over 6% of new build floors failed this test compared with just over 2% of conversions.

Approximately 3.5% of floors failed the airborne test and less than 2% of walls failed the airborne test.

In addition to carrying out the testing, we also provide advice to builders on how to solve the problems when the necessary sound insulation level has not been achieved. The most common causes of failure include insufficient mass in the partition, bridging between twin leaf structures, flanking sound transmission and poor build quality including gaps and holes in partitions. The use of Hepworth Acoustics at the design stage and to inspect construction works can ensure that the sound insulation requirements are met and there are no unpleasant surprises and delays just before hand over.

## VALUE ADDED SERVICES: GETTING THE VERY BEST

Acoustic consultancy services are often seen by many clients as a necessary evil, a service that is required to meet regulatory requirements but without any real added value for the client. Therefore, why should a client pay for the service provided by Hepworth Acoustics?

The philosophy behind Hepworth Acoustics has always been to provide consultancy services on a fast timetable to ensure that client deadlines are met. The company is set up with a network of offices across the country to provide a quick response, no matter where the project is. The cost to a developer of missing a planning committee because the noise report is



not ready can greatly outweigh the noise consultant's fees. Rigorous quality control is applied to all work produced by the company and we understand what is required by the regulatory authorities. This means that less time is spent on dealing with requests for additional information and amending reports. Our reports

will not just identify a problem, we will tell you what needs to be done to solve the problem, and it will be done in straight forward language that end users will understand. We will also produce recommendations that are necessary for meeting the noise criteria, we will not over elaborate or enhance our recommendations. Finally, we will recommend standard building materials wherever possible to minimise costs. Very few noise control schemes need specialist acoustic materials.

This philosophy ensures that there are real benefits to clients from using Hepworth Acoustics compared with other companies.

## REDUCING REBOUND NOISE

Hepworth Acoustics was recently commissioned by an established client and leading name in the leisure industry, to undertake some interesting research into controlling noise from 5-a-side football pitches.

Hepworth Acoustics has undertaken numerous assessments for this client, providing noise assessments for proposed new football facilities, and demonstrating that they will not result in unacceptable noise for nearby residents. Frequently, it has been necessary to recommend high specification acoustic screens and minimum separation distances between pitches and nearby houses, to ensure that a satisfactory result will be achieved. Increasingly, however, sites located away from houses are proving difficult to come by and so some investigative work into practical methods or controlling noise at source was required.

One of the most significant noises associated with 5-a-side football is caused by the impact of the balls striking the rebound boards, which run around the perimeter of the pitches. These boards form a crucial part of game-play and so cannot be removed. It is also necessary for them to be of a solid construction such that the ball will bounce properly, but also they must not present an injury hazard.

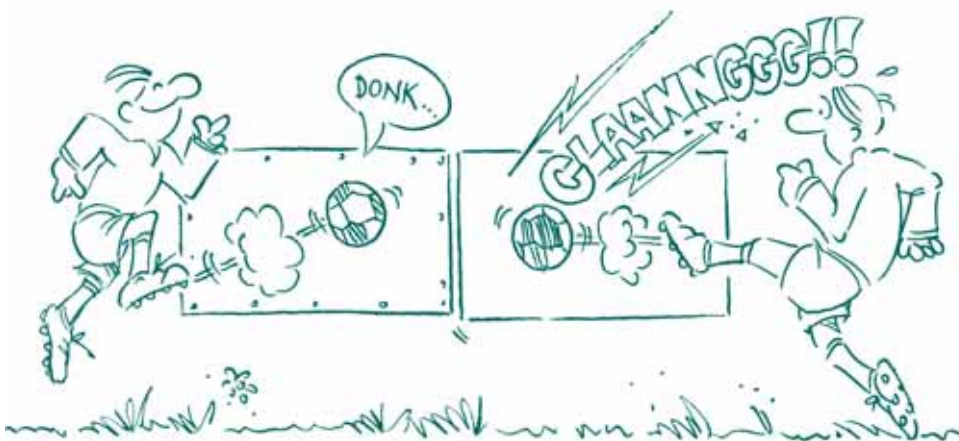
The brief for this project was to test a number of different rebound boards and assess which would result in the lowest possible impact noise levels when struck by the footballs.

Extensive tests were carried out on a number of different types of rebound board. This was done at several of the client's existing sites where different types of board and supporting structure are in use. Trials of new proprietary boards were also undertaken on



samples specifically installed for the tests and investigations were carried out on existing boards which were specially upgraded with additional steel bracing to limit any flexing.

An identical method was employed for testing each of the samples available. The results of the tests were collated and presented to the client. As a result, the client has been able to adopt the quietest possible solution for future sites, giving them peace of mind that the noise impact will be at a minimum. This has also assisted with negotiations with Local Authorities when seeking planning permission for new facilities, as it is now possible to provide supporting evidence relating to proposals, showing that they have been rigorously tested and represent the quietest solution available.



## Who's Who



**GRAHAM  
BOWLAND**

Graham joined the company in 2007 having moved from London to Bristol a year earlier. The position appeared to have his name on it although it took him the best part of a year to recognise that. Graham's interest in maths and physics developed into an understanding of acoustics. His interest in acoustics came via the music route and his main enjoyment is ensuring an effective and efficient provision of service to each client. When not at work Graham enjoys playing the guitar to his six month old daughter and walking in the local countryside surrounding Bristol.



**PAUL  
BROWN**

Having been involved with Hepworth Acoustics Limited as Finance Director since its inception, Paul's role is assisting Peter Hepworth in the development of the business. "We're always looking at ways of improving all aspects of Hepworth's; currently we are changing accounting systems with a view to incorporating a Customer Relationship Management tool within the system. This will not only make the production of the numbers much more professional but will also have the added benefit of improving the service we give to our clients. "Not sure when I will be able to take a holiday though" says Paul.



**OWEN  
DOWNEY**

Hepworth's offer a wide range of acoustic consultancy and it was this variety that Owen was originally attracted to when he joined the company in 2003. He had taken an acoustic degree later in life (at the ripe old age of 29) having worked in sound engineering and recording for a number of years. The environmental, architectural, entertainment and leisure work in a variety of locations continues to have appeal. Enjoying "real football", spending time with the kids and playing 80's style electro synth-pop keeps him occupied outside work.

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