Brighton & Hove City Council

LICENSING PANEL (LICENSING ACT 2003 FUNCTIONS) ADDENDUM

10.00AM, MONDAY, 23 SEPTEMBER 2019

ROOM G79 - HOVE TOWN HALL

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ADDENDUM

Acoustic Associates

[redacted]
No 32 Ltd
32 Duke Street
Brighton BN1 1AG

Our Ref: J1637
Date 20 October 2015

Dear [redacted]

Re: Music noise breakout from No 32 Duke Street – Measurements on 20th October

Further to my visit to 32 Duke Street earlier today, I thought it appropriate to drop you a quick note regarding the results of the measurements.

As you know, we agreed that there had been a significant reduction in the levels of music noise breakout from the front façade of the property, both at ground floor and first floor levels. However, as they were below the ambient noise levels in the area, I was not able to quantify the values during my visit because further data analysis was necessary.

I have now had the opportunity to examine the data from the meter and to make the necessary adjustments to take account of the effects of the ambient noise.

I have the data for each of the Dance Floor levels that we tried. However, it is probably most useful to you just to have the external levels at the front of the property when the maximum Dance Floor level of 97dBA was being used. You will remember that this is pretty much the maximum level that you would be able to operate without giving rise to damage to the loudspeakers.

- Internal music noise level on Dance Floor 97dBA (with enhanced bass content)
- Music noise breakout level front centre with outer doors open (inner closed) 65dBA
- Music noise breakout level front centre with both sets of doors closed 56dBA
- Music noise breakout level to each side with both sets of doors closed 54dBA
- Music noise levels on balcony outside side doors (both doors closed) 54dBA

As you know, the previous measurements were taken in July of this year and these showed results of around 60dBA externally with only 90dBA on the Dance Floor and with a reduced bass content to the music sound. On that occasion, both the inner and outer sets of doors had been closed.

Clearly, therefore, there has been a significant improvement to the airborne sound insulation provided by the front facades on both ground and first floor levels.

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During today's visit, I also checked the degree of music noise breakout from the roof-lights and the ventilation intakes/extracts on the flat roof above the property.

With 97dBA on the Dance floor (and with the bass enhanced), the levels measured at 1 metre from the ventilation intakes/extracts was around 68dBA. Between the two roof-lights, the result was around 63dBA.

It is recommended that treatment be considered to reduce the degree of music noise breakout via the ventilation arrangements. This can be done using externally mounted sound attenuation enclosures or sound attenuated ducts. I believe you are already in conversation with [redacted] about these elements.

In summary, it is clear that the works that have been undertaken to the front facades and the entrance-ways have been very successful and have achieved their object.

If you require any further advice or recommendations regarding the ventilation arrangements, I would be pleased to assist.

Kind regards,
For Acoustic Associates Sussex Ltd

[redacted]

Acoustic Associates

[redacted]
No 32 Ltd
32 Duke Street
Brighton BN1 1AG

Our Ref: J1637
Date: 28 May 2015

Dear [redacted]

Re: Acoustics and music noise breakout from No 32 Duke Street

Thank you for your hospitality during our meeting at 32 Duke Street Brighton on 15th of May 2015.

We discussed a number of areas. The first area was the balcony doors at the front on the first floor. We agreed that the central doors could be provided with permanent secondary glazing. One set of side doors could be provided with a more efficient outward opening double glazed door with good acoustic seals to provide better sound insulation but this one would remain closed for most of the time and certainly be locked closed after 11 PM.

The other side door would be treated in the same way with a double glazed, efficient, outward opening door but that would stay open for most of the time until 11 PM but then would be locked closed after 11 PM. I noted that the wall linings in the areas between the doors would need investigation as these seemed to be of lightweight construction.

We then went down to the ground floor and discussed the bi-fold opening doors to either side of the main entrance. We agreed that, in the longer term, these could be changed to a more efficient double glazed door arrangement so that the sound insulation was improved on a permanent basis for these sides. In the short term, however, I agreed that we would look at introducing efficient seals at the closing stiles of the bi-fold opening doors and also I would look at what could be done at the heads of the doors in order to improve the sound insulation.

The opening through into the main club area from the entrance porch way.
I said that this opening could have its head reduced in height to help with a degree of additional sound attenuation between the main club area and the porch. In addition to this adjustment, the main porch could be provided with some acoustic absorption treatment at the ceilings in order to reduce the reverberant sound pressure level in that area.

The inner set of doors in the main entrance.
These would be replaced with a pair of outward opening double glazed doors. These would be designed to have a reduced gap at their base: between the door base and the floor. They would also be provided with an activated Seal at the base so that when they were closed, the automatic drop-down Seal would reduce even further the size of the gap at the base of the door.

During our meeting, we also discussed possible changes to the rooflights with an altered inner glazing system. You mentioned that you would favour a downward pointing glazing 'pyramid'. I pointed out the advantages that would also be gained by incorporating acoustically-absorbent linings to the inner reveals of the opening, between the inner glazing pane(s) and the rooflight above. In addition we spoke about the possibility, at a later date, of providing continuous glazing all around the mezzanine floor level so that diners in the upper area could overlook the dancefloor beneath.

Finally we also spoke about the possibility, in the future, of providing a conservatory on the external balcony at the front of the club on the first floor. This would assist greatly with sound insulation, reducing noise break out. The introduction of the conservatory construction would also achieve an increase in the number of tables available for diners in all weathers.

When we spoke, you requested that I consider Project Managing the improvements and this is a service that I would be willing to provide. I have been in contact with a company that I have used on numerous occasions in the past that I can recommend as an experienced and skilled Contractor. Their contact details are:

Thermacoustic Ltd [redacted]

I recommend that we arrange a further meeting on site, which I would also attend and to which [redacted] would be invited. The requirements can be discussed at that meeting and Thermacoustic Ltd invited to provide a fee proposal to carry out the work.

At that meeting, we can also agree the basis on which I would provide my own acoustic consultancy and project management services, assuming that the latter is still the way in which you wish to proceed.

I trust that all of the above information and the outline recommendations provided are clear and helpful. However, please do not hesitate to contact me if you have any queries or as and when you wish to investigate the possibilities for noise attenuation further.

Best regards,
For Acoustic Associates Sussex Ltd

[redacted]

Acoustic Associates

Acoustic Associates

[redacted]
No 32 Ltd
32 Duke Street
Brighton BN1 1AG

Our Ref: J1637
Date 1 October 2014

Dear [redacted]

Re: Music noise breakout from No 32 Duke Street

As you know, I visited the above premises on the late evening of Friday 26th September for the purpose of witnessing and measuring music noise breakout from the premises.

During my visit, I also visited the property of the complainant regarding music noise breakout.

Defining the Problem

Music is played in the premises of 32 Duke Street and, from late evening until the early hours of the morning (understood to be up to 3am), the music is played at high volume levels.

During the visit, measurements were taken of the music noise level on the dance floor in the front portion of the club. For the purpose of the measurements, the DJ was requested to turn up the volume level until it reached the maximum volume normally used in the late evening (after 11pm). These measurements showed that the maximum music noise level in the approximate centre of the dance floor was around Leq 95-98dBA with short-term maximum levels of 97-100dBA.

With the music playing at the above levels, a visit was made to the flat roof area above the dance floor to investigate possible paths for noise breakout.

A visit was also made to the complainant's property, both in the first floor front lounge and the second floor front bedroom. Measurements of music noise levels were also made within the two rooms as well as 1 metre outside the lounge window. These measurements provided the following results:

First floor lounge with windows closed:	L_{Aeq} 40-43dB
Second floor bedroom with windows closed:	L_{Aeq} 35-38dB
1 metre outside lounge window:	L_{Aeq} 70-72dB

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There are various guidance documents that provide guideline values for acceptable noise levels within residential properties. These include:

BS8233:2014: *Guidance on sound insulation and noise reduction for buildings*

This British Standard advises that, for noise of an ***anonymous*** character (e.g. road traffic noise, to which people can habituate fairly readily), the internal noise level within habitable rooms prior to 11pm should be no higher than $L_{Aeq,T}$ 35dB. After 11pm in bedrooms, the noise level should not exceed $L_{Aeq,T}$ 30dB.

For noise which is not anonymous in character and is capable of attracting attention to itself by virtue of tonality (including heavy bass 'thumps', impulsiveness etc), it is recommended that a lower level be targeted. It is common to target a level 5dB lower than the guideline values above, i.e. a level of no more than $L_{Aeq,T}$ 25dB within a bedroom at night. The value 'T' in these late-night cases would usually be either 5 or 15 minutes . It is recommended that, in this case, a value of 5 minutes be used.

From the above, it is clear that attenuation of the music noise in the order of 13-15 dB should be achieved to achieve acceptable levels internally, ***when the residential windows are closed***.

It should be noted, however, that during the summer months, residents will expect to be able to sleep with windows open. This view would also be supported by the Environmental Health Authorities.

When the residential windows are partially open for ventilation, the noise attenuation provided by the façade (either lounge or bedroom façade) will be reduced to around 15dB. It can be seen from the external measurement reported above that the external music noise level, 1 metre outside the lounge window, was 70-72dBA. It is considered that the noise level just outside the bedroom window would be slightly lower due to the setback of the dormer window to the bedroom. This setback gives rise to a degree of attenuation provided by the eaves to the roof. This also partially explains why the internal noise levels in the bedroom were around 5-6dB lower than those within the lounge.

With the lounge windows open, therefore, the internal noise level is around $L_{Aeq,T}$ 55dBA. Within the bedroom, it will be around $L_{Aeq,T}$ 50dBA. To achieve a target of no higher than 30dBA for the lounge or 25dBA for the bedroom, it is necessary to engineer noise attenuation of around 25dB from current music noise breakout levels.

Principal Noise Breakout Paths from No 32 Duke Street

During the visit, including the inspection of the flat roof area above the club, it was noted that the principal noise breakout paths were:

- Breakout via the open front doors on the ground floor
- Breakout via the open sliding doors to the first floor balcony area
- To a lesser extent: breakout via the lantern lights on the flat roof. It is believed that the sloping portions of these are of Perspex sheet construction
- To a lesser extent still: breakout via the ventilation cowls on the flat roof (4 in number)

Options for achieving reduction of music noise breakout

Several options are suggested for achieving the necessary level of music noise breakout reduction and it is likely that a combination of these will be necessary.

1. It was noted that the inner set of doors to the main entrance on the ground floor had large threshold gaps and that these are capable of allowing a significant amount of noise to escape, even when these inner doors are closed.

   It would be possible for the threshold seals to be improved to the inner set of doors. If both sets of doors were normally closed during trading hours (or at least when high music noise levels were being used) then it is likely that around 10-15 dB attenuation of the breakout noise via this route would be achieved. Clearly, this would only be when the doors were closed. Noise would escape when people were transiting through the doors.

2. The doors to the first floor balcony could normally be kept closed during trading hours when high music noise levels were being used. This would again provide attenuation of around 10-15dB. The same comments apply regarding the escape of noise when people are transiting through the doors.

3. The Perspex sections of the roof lantern lights could be replaced with a layer of 6mm (minimum) laminated glass to achieve higher sound insulation. Further insulation would be achievable by inserting a second pane at the lower portion of the lantern light opening. This can be discussed further if it is deemed to be an acceptable option.

4. The possibility of a 'sound lobby' entrance to both ground and first floors could be investigated. This could provide further attenuation and could also mitigate noise breakout when patrons were moving through the doors.

5. The music noise levels used on the dance floor could be limited to a lower level. During the visit, an average level of around 95dBA was used. Clearly, the use of a level of 90dBA would immediately achieve a 5dB reduction in 'received' noise levels at the complainant's property.

6. If, once a combination of the above measures had been implemented, there was still a residual problem then the rooftop ventilation arrangements would warrant further investigation and possible treatment.

It is recommended that the above possible attenuation measures be discussed further in order to seek to achieve the necessary reduction in music noise breakout and to satisfy the Noise Abatement Notice that has been issued by Brighton & Hove City Council.

I trust that all of the above information and the outline recommendations provided are clear and helpful. However, please do not hesitate to contact me if you have any queries or as and when you wish to investigate the possibilities for noise attenuation further.

Best regards,
For Acoustic Associates Sussex Ltd

[redacted]

c.c. [redacted] – Stiles Harold Williams Partnership LLP

Acoustic Associates

Acoustic Associates

[redacted]
No 32 Ltd
32 Duke Street
Brighton BN1 1AG

Our Ref: J1637
Date 24 October 2014

Dear [redacted]

Re: Music noise breakout from No 32 Duke Street

As you know, my colleague [redacted] visited the above premises on the late evening of Friday 10th October for the purpose of witnessing and measuring music noise breakout from the premises.

During his visit, he also visited the property of the complainant regarding music noise breakout.

Music Noise Levels Measured

During the visit, measurements were taken of the music noise level on the dance floor in the front portion of the club. These measurements showed that the maximum music noise level in the approximate centre of the dance floor was initially around Leq 95dBA with short-term maximum levels of 97-100dBA. Subsequently, the music noise level was reduced to around Leq 91dBA and this was the level used for the remainder of the measurements.

A visit was also made to the complainant's property, both in the first floor front lounge and the second floor front bedroom. Measurements of music noise levels were made within the two rooms and provided the following results:

First floor lounge with windows closed:	L_{Aeq} 37dB
Second floor bedroom with windows closed:	L_{Aeq} 32dB
First floor lounge with windows open:	L_{Aeq} 42dB
Second floor bedroom with windows open:	L_{Aeq} 44dB

The difference in the measurement condition between the readings taken on 26th September and those taken on 10th October was that :

a) The music noise levels were reduced by around 5dBA internally within 32 Duke St
b) The front doors and first floor balcony doors were closed at 32 Duke St

Clearly, these measures will have resulted in a significant reduction in the music noise levels received within the residential rooms being tested. Indeed, the residential neighbour commented that she had never heard the music noise levels as low.

The comment from [redacted], who was conducting the test, was that the external ambient noise (the noise from passers-by, traffic etc) from the pedestrianized area outside was now the dominant noise being received within the residential rooms.

To explain:

- On 26th September, the noise being measured within the residential rooms was a composite of the music noise PLUS the ambient noise from outside the flat
- On 10th October, the music noise had been reduced to a significant degree by both reducing the music noise level on the dance floor by around 5dBA PLUS closing the front doors and the balcony doors. The total noise reduction is unlikely to have been less than 10dB
- The like-for-like measurements carried out on 10th October are only around 6dB lower than those carried out on 26th September (not 10dB, as above)
- The last point above means that, while the music noise has been reduced by (probably) more than 10dB, the ambient noise from passers-by and traffic has not been reduced at all, Thus while the overall level is reduced by only around 6dB within the residential rooms, the music noise level originating from 32 Duke Street has been reduced by better than 10dB. How much better than 10dB is difficult to determine on a broadband basis, though frequency analysis shows reductions in the 125Hz octave band (more likely to be associated with music noise) of around 8dB for this frequency alone. In the 250Hz octave band, the reduction is around 9dB. Higher frequencies show less reduction but these are more likely to be associated with the external ambient noise, including speech, laughter etc.

Recommendations

During my visit to 32 Duke Street on 7th October, discussion revolved around strategies for reducing the music noise breakout. These included:

1) The creation of a sound 'lobby' internally at one side of the first floor balcony doors
2) For balcony access, using only the created sound lobby (the layout of the proposed sound lobby was discussed on site)
3) The creation of a part-panelled, part-glazed partition extending between the pillar to one side of the 'flame-feature' close to the entrance on the ground floor and the brickwork pier against the side wall of the premises. This leaves an opening to permit pedestrian access beside the 'flame feature'. The height of this opening should also be restricted with a lowered panel from the ceiling to a depth of approximately 300-450mm.
4) To the other side of the 'flame feature', the insertion of a partition closing that space off to the side wall (this might need to include a dog-leg in order to accommodate the backs of some of the existing seating).
5) The music noise level used on the dance floor should be controlled to a maximum level of 90dBA. This should be ensured by the use of an automatic volume controller such as the Formula Sound AVC2 Controller (supply of an appropriate unit can be arranged, if required).

6) The two sets of doors at the ground floor front should normally be kept closed, being opened only when pedestrian access/egress is required.

Once the above alterations have been implemented, it would be possible to re-assess the noise levels in order to see whether sufficient attenuation had been achieved to allow a return of dance-floor music noise levels to their original value. Clearly, this would have to be achieved without re-introducing the situation that gave rise to the original noise complaint.

I trust that all of the above information and the outline recommendations provided are clear and helpful. However, please do not hesitate to contact me if you have any queries or as and when you wish to investigate the possibilities for noise attenuation further.

Best regards,
For Acoustic Associates Sussex Ltd

[redacted]

c.c. [redacted] – Stiles Harold Williams Partnership LLP