



# Northumberland County Council

Mr J Stratton  
Haltwhistle and District WMC Ltd  
Bank House  
Main Street  
Haltwhistle  
Northumberland  
NE49 0BZ

**Your Ref:**  
**Our Ref:** LH/26/7/19  
**Enquiries to:** Liam Howley  
**Email:** Liam.Howley@northumberland.gov.uk  
**Tel Direct:** (01670) 623718  
**Date:** 25 July 2019

Dear Mr Stratton

## **Review of Club Premises Certificate**

I write further to your letter dated 8th July 2019 regarding the above matter. You raise a number of points in your letter and I will respond to each in turn.

I note your email dated 17th September 2019 and in particular your comment regarding whether the steps you have taken to reduce the noise level were sufficient at this time. As we were only part way through the investigation into the alleged nuisance we were unfortunately not in a position to comment on this matter at this time. However, when the investigation was concluded a statutory nuisance was found to exist and a legal notice was served on the club on 17th October 2018 requiring the nuisance to be abated.

The format, content, accompanying documentation and details of the formal appeal mechanism against the Notice gave a clear notification that the Council had reached a decision that the remedial measures taken by the club to date were inadequate. As the Notice made clear there was no informal process then available to resolve the issue and the appropriate route for the club to challenge the decision of the Council should it have wished to do so was via an appeal against the Notice. The 21 day period allowed for this process expired on 7th November 2018 without such an appeal being made.

Whilst we acknowledge that the club has made some efforts to reduce the sound levels from the fan these unfortunately have not been sufficient. This situation was made clear in our email dated 3rd May 2018 and subsequent letter dated 22nd May 2018 where we highlighted that the club had now breached the legal Notice and that subsequent breaches could result in legal proceedings being taken.



**Public Health Protection Unit,  
Housing & Public Protection Service, West Hartford Business Park,  
Cramlington, Northumberland • NE23 3JP**

**Tel: 0345 600 6400 • Fax: 01670 626059 Web: [www.northumberland.gov.uk](http://www.northumberland.gov.uk)**



I also note your comments in relation to the advice provided by your refrigeration specialist. From an early point in the case, Officers from the Council have advised you to obtain the services of a competent acoustic consultant to assist you to find a suitable solution to the noise issue. To that end, we provided you with a list of local consultants. It is not a matter for the Council to decide how you wish to comply with a Notice for example whether you choose to, for example, repair or replace a particular system, this is obviously a matter for the club to decide based on cost, convenience, timescale etc. However, from your letter it appears that your own contractor had reached the conclusion that the plant was incapable of operating more quietly thus potentially suggesting the current system may be incapable of operating in a way that complies with the legal requirements of the Notice. Should this have been the case then perhaps the club should have given some thought to the replacement of the system, I note that it is now nearly 50 years old. Early engagement with an acoustic consultant as we suggested may well have provided useful background information on which to base a decision on how best to comply with the Notice.

I acknowledge your requests under the Freedom of Information Act 2000. I have referred these through the appropriate corporate channels for a formal response. However, given the timescale allowed for such responses and the date of the hearing I have provided some comments below which I hope will be of assistance to you.

The 'review of evidence' you refer to is part of an internal procedure used by the Senior Environmental Health Officer overseeing the case to verify the decision of the case officer that a statutory nuisance does exist. It consists of a discussion between the officers and a physical review of the evidence. As such there is nothing to disclose other than a note in the case file confirming that this procedure took place.

Similarly, we did not need to obtain a formal legal opinion in relation to instigating legal proceedings in this instance. The matter was discussed in a brief meeting where the Council's legal advisers confirmed that such action was appropriate. Again the matter is confirmed with a suitable entry on the case file however there is no further information to release.

The matters that required the club's attention were set out formally and precisely in the legal Notice that was served upon it. There was no further information that was necessary or appropriate to release. The responsibility for complying with the Notice clearly lay with the club and as such it was your responsibility to identify sufficient appropriate advice and assistance. The Council did provide advice to you on how to obtain such assistance however, you chose not to follow this.

Officers from the Council have endeavoured to assist the Club and I note from our records that we attended site meetings with club representatives on 4th January 2018, 5th March 2018, 30th July 2018 and 21st August 2018. Additionally we attempted on six occasions to contact club representatives by telephone and received no reply to these. On the 23rd January 2019 we attended the club and demonstrated the recordings and readings that constituted the evidence of a statutory Notice. A list of acoustic consultants was provided on

5th March 2018 and we have on numerous occasions made reference to the benefit of this approach.

I would further add that although a significant period of time (three months) was granted to abate the nuisance little progress was made. We subsequently agreed to two further extensions to this time period ( a further two months). Throughout this extensive time period local residents have had to endure noise above that legally allowed and at present the situation is ongoing.

Please contact me if you wish to discuss any of these matters further.

Yours sincerely

**Liam J Howley Cert HE (LL), BSc. (hons), MPA, MREHIS  
Community and Environmental Health Manager**



## Licensing Review Chronology

The Haltwhistle & District Working Mens Club and Institute Limited

**Location** The cooling unit is located in an enclosed quadrangle, with the wall of the Club premises on one side and residential dwellings situated around the open area which includes their gardens and patios. (**Doc 1** Photograph 1 & Maps 1 & 2)

**2nd November 2017** The initial complaint was made to Public Protection at Northumberland County Council concerning excessive noise arising from a large cooling unit serving the cellar of The Haltwhistle & District Working Mens Club and Institute Limited. As the complainant was not in occupation of these premises, this inhibited the investigation as log sheets could not be duly completed and consequently no usable noise measurements could be made.

**23rd November 2017** initial letter sent to the Club informing them of the complaint (**Doc 2**)

**4th January 2018** visit by Simon Packham (Community Safety Officer) spoke with the Club Secretary Mr Dryden Smith who inspected cooling unit and agreed it was very noisy. He said he would investigate and get back but was not sure of an enclosure for the unit being removed

**22 January 2018** Tel call to by Simon Packham to Tony Perkins (Club Member) - no reply

**5th February 2018** Tel call by Simon Packham to Tony Perkins (Club Member)- requesting contact-no reply

**13th February 2018** Tel call by Simon Packham to Club message left with staff member to ask Tony Perkins (Club Member) to make contact-none made A second letter sent out (**Doc 3**)

**5th March 2018** officer visit Tony Perkins not available spoke with Andy Sproul (Committee Member) to raise at tonight's Committee meeting. Actions requested to be considered: Engineer visit, Housing for cooling unit and offered to send List of Acoustic consultants.

**26th March 2018** Tel call from Simon Packham to Andy Sproul (Club Member) requesting an update- no reply

**29th March 2018** Tel call from Simon Packham to Andy Sproul (Club Member) requesting contact- no reply

**29th March 2018** Tel call from Simon Packham to Tony Perkins (Club Member) requesting contact-no reply

**23rd July 2018** a second complainant of noise was made who was able to complete log sheets.

**30th July 2018** officer visit by Simon Packham spoke with Club Steward Stewart Smith who said there had been difficulty with the Committee who do not deal with legal issues. Asked for the letter to be resent and the Club will address the situation. He thought plans were in hand to box the cooling unit but would follow this up. Contact details provided of authority contacts, noise process and consequences outlined if there was none compliance.

**14th August 2018** Nick Audsley's Letter to the Club (**Doc 4**)

**20th August 2018** Tel call to Club Stewart Mr Stewart message left requesting contact-no reply

**21st August 2018** Tel call to Mr Smith (Club Steward) by Simon Packham who said that the engineer had been out and is preparing a report for the Committee. They had Nick Audsley's Letter and both will be considered by the Committee next week

**5th September 2018** noise recording equipment being installed, but malfunctioned

**13th September 2018** noise recording equipment reinstalled

**1st October 2018** the noise recordings were analysed by officers (Nick Audsley & Helen Armstrong) and verified by me as the Senior Environmental Health Officer, that a statutory nuisance was being caused by the noise being emitted from the Club's cellar cooling unit..

**17th October 2018** email from Jonathon Stratton (Club Treasurer) with letter (**Doc 5**)

**17th October 2018** As a result of the noise analysis findings The Haltwhistle & District Working Mens Club and Institute Limited was served with an Abatement Notice and accompanying letter (Ref:NOU002465) under Section 79 of the Environmental Protection Act 1990.(**Doc 6**).The duration given to achieve abatement was 3 calendar months, to enable the Club members to seek the advice of an Acoustic consultant in order to identify and facilitate the most efficient measures required to control the noise emissions from the cooling unit. Further time was also factored in for contractors to be tendered and engaged to undertake the work specified to fully abate the noise nuisance.

**17th December 2018** a telephone call from the Club Chairman David Perry was received stating that engineers had undertaken some work on the cooling fan as stated in the letter of 17th September 2018 (Doc 2) and could we reassess the situation. This was reaffirmed in an email from Jonathon Stratton (Club Treasurer) on the 19th December 2018 querying the dates of the noise monitoring, which we confirmed had been undertaken between the dates of the 13th to 20th September 2018 after the time stated when the servicing was made by Carlisle Engineering.

**21st December 2018** email to Mr Stratton confirmed there did not appear to be "any substantial change in the noise from the fan" and strongly recommending the employment of the services/direction of an Acoustic Consultant.

**10th January 2019** email from Mr Stratton stating that Carlisle Engineering were to attend on the 15th January 2019 to identify works to reduce the noise and also requesting a sight of the noise recordings made by this authority. With my reply (**Doc 7**)

**14th January 2019** after consultation with the authorities legal department as to what information I could release on behalf of the authority to the Club, I emailed Mr Stratton to offer to make a visit to the Club to demonstrate the recordings to Club members, as they would not be able to play and listen to these noise files without the required software.

**23rd January 2019**, Nicholas Audsley (Technical Officer) and myself met with Mr Dryden Smith (Club Secretary) and Mr Tony Perkins (Committee member and former Club

President) where the outstanding notice was discussed with particular reference to the written proposals submitted by Carlisle Engineering. At the same time I was discussing the identified works, Mr Audsley demonstrated and showed the noise recordings (on his laptop) to Mr Perkins from which the authorities basis of the statutory nuisance was identified.

As the 3 months allowed on the Abatement Notice to carry out the works had almost elapsed, an extension for the compliance of the notice was permitted until the 25th February 2019. This was to allow the engineers work to be done, but also incorporating extra time in the event that further supplementary work may be needed and consequently undertaken; in the event that the nuisance was still not abated. At that time I was unable to confirm if the proposed work intended by Carlisle Engineering would be suitable and sufficient to abate the noise nuisance (as I am not a qualified mechanical engineer) and this resolution was down to their expertise and workmanship.

**24th January 2019** after the meeting a letter confirming the the discussion and extension of time on the Abatement Notice (**Doc 8**)

**30th January 2019** A copy of Carlisle Engineerings Report was emailed to me by Mr Stratton (**Doc 9**)

**11th February 2019** Mr Perkins informed me that Carlisle Engineering intended to start to start the work on the 13th February 2019 and it would take a week, however this was again delayed.

**27th February 2019** I revisited the Club with Nick Audsley to ascertain what works had actually been completed. Officers were informed that the Engineers had removed the fan blades from the cooling unit and found that new bespoke fan blades would need to be manufactured, to fit to the old cooling plant.

**28th February 2019** letter sent out acknowledging the reason for the delay in completing the works due to the manufacture of these component parts, but also reiterating, that even after these repairs and modifications were carried out; the required noise attenuation may still not be achieved (**Doc 10**). Further consideration should be given to the fitting of an acoustic enclosure through consultation with an Acoustic Consultant who would suggest the most cost effective and efficient way of achieving this. The notice was extended for a second time until the **25th March 2019**.

**21st March 2019** email from Mr Stratton stating that Carlisle Engineering had completed the works specified in their report and for noise from the cooling unit to be reassessed which was the authority confirmed it would do by letter.

**25th March 2019**, the calibrated noise monitoring equipment was installed in the complainants property, by Nicholas Audsley at which time we both heard the noise from the cooling unit in the courtyard adjacent to Diamond Print Cottage and its garden.

I considered that the audible emissions in the garden and facade of the dwelling were still distinctly loud and obtrusive with a severe intensity, compounded by reverberation from the enclosing brick walls, together with a tonal frequency and its intermittent mode of operation. In my opinion the levels heard outside the property would be clearly audible within the dwelling and therefore I considered there would be a breach in the abatement notice supported by the measured noise recordings

**25th March 2018** Letter sent out informed that intend to reassess for breach (**Doc 11**)

**1st April 2019** noise monitoring equipment picked up although after analysis of the data on the 10th April 2019 it was found that the noise equipment had not operated correctly.

**12th April 2019** noise monitoring equipment reinstalled.

**19th April 2019** noise monitoring equipment removed

**3rd May 2019**, analysis of noise recordings by Nicholas Audsley and myself indicated that the noise levels identified in the complainants bedroom during the day ( i.e. when the cooling plant was operating) were still excessive and there was still a significant intrusion into the complainants property with Breaches of the Abatement notice were confirmed.

**3rd May 2019** following the noise analysis, an email was sent to Mr Stratton confirming the Breach of the notice and stating that the statutory nuisance had not been abated and that prosecution could follow.

**9th May 2019** reminder email of Breach sent to Mr Stratton 2019 together with a follow up email to Mr David Perry (Club Chairman) as I had been informed by him that Mr Stratton was on holiday. Followed up by a letter to Mr Dryden Smith (Club Secretary) on **22nd May 2019 (Doc 12)**

**10th May 2019** email reply from Mr Stratton on the 10th May 2019 apologising for not getting back to me and stating this would be put before the Club Committee on the 13th May 2019 and that he would get back to me the next day

**16th May 2019** email to Mr Stratton requesting an update and telephone message left for Mr David Perry requesting the same information resulted in **no further contact until Review response letter of 8th July 2019.**

After time had elapsed and having no further response from the personnel representing the Club I consulted with the legal department in order to proceed to take action against the Club for the Breach of the Abatement Notice and the unresolved statutory noise nuisance

All through this time the noise from the cooling unit has to be endured by the local residents preventing their peaceful enjoyment of their own home. The residents have continually been asking officers for updates on the proposed actions by the Club which have seldom been freely forthcoming. In relation to the noise emissions from the cooling unit, even after meetings and continual correspondence with the Club representatives they do not appear to recognise or fundamentally understand the implications of their failure to fulfill their legal Licensing obligations. The local authority should not need to use secondary legislation (i.e. The Environmental Protection act 1990) to seek resolution by serving an Abatement Notice and ultimately prosecuting. The Club Premises Certificate and conditions should be fully upheld by the Club Committee members and they need to recognise their responsibility in operating their Club premises in harmony with the local residents. In this case the Club representatives do not appear to have any regard that the noise from the cooling unit which continues to intrude into their neighbours lives for seven days a week. This noise through its continuing presence is considered a statutory nuisance due to its effect on nearby residents.



Proposed Conditions for the Review Committee to consider placing on the Club Premises Certificate

The large cellar cooling unit shall be turned off by the operation of the installed timer between 22:00 and 08:00 hours and should never be overridden manually to exceed these times.

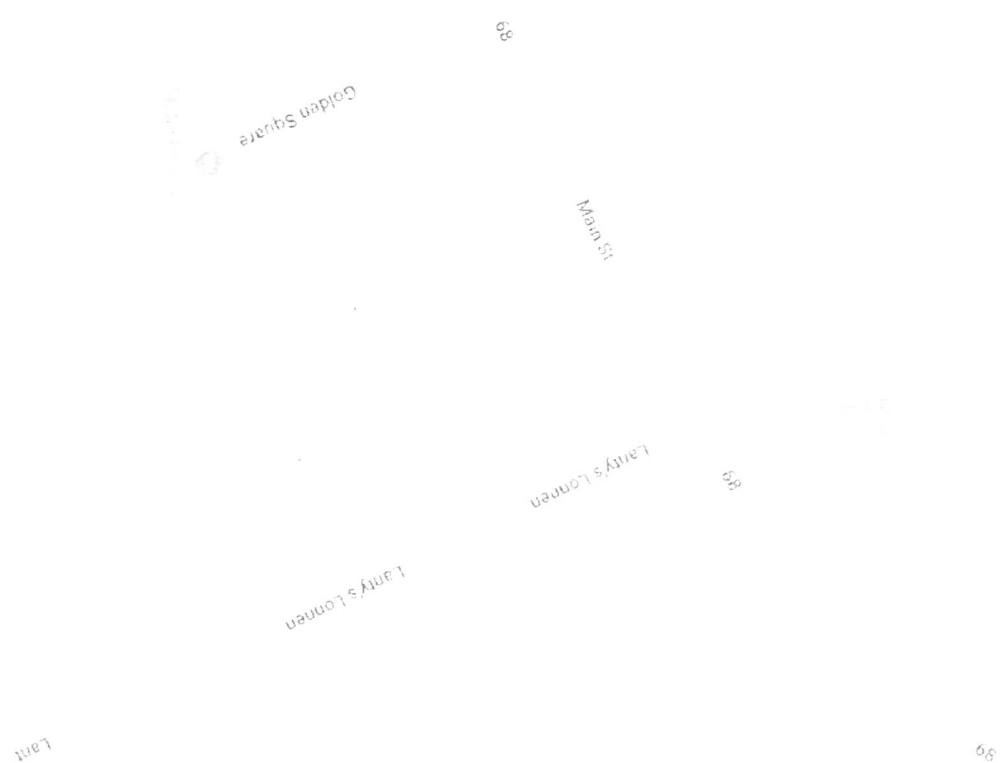
A continuous A-weighted Sound Pressure Level of 45dB  $L_{Aeq, (15 \text{ mins})}$  (i.e the average A-weighted sound pressure level in decibels over a 15 minute period ) measured one metre from 2 Central Place, Haltwhistle; shall not be exceeded between 08:00 and 22:00 hours, when the large cellar cooling unit is in operation.





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# NORTHUMBERLAND

## Northumberland County Council

Public Health Protection Unit · Fire & Rescue Service · West Hartford Business Park ·

Cramlington · Northumberland · NE23 3JP

Telephone: 0345 600 6400 · Fax (01670) 626059 · Web: [www.northumberland.gov.uk](http://www.northumberland.gov.uk)

Haltwhistle & District Working  
Mens Club  
Main Street  
Haltwhistle  
Northumberland  
NE49 0BZ

Your Ref:  
Our Ref: P073752  
Enquiries to: Peter McMorrow  
Direct Line: 01670 623783  
E-mail: [peter.mcmorrow@northumberland.gov.uk](mailto:peter.mcmorrow@northumberland.gov.uk)  
Date: 23 November 2017

Dear Sir/Madam,

### **Environmental Protection Act 1990 – Section 79**

**Report of Alleged Nuisance: Noise from compressor with missing acoustic cover.**

**Location: Haltwhistle & District Working Mens Club, Main Street, Haltwhistle, NE49 0BZ.**

The Council has received a complaint alleging that noise and amounting to a nuisance is occurring from the above mentioned premises. The Council has a legal obligation to investigate complaints such as these to establish if they are nuisances in law, that is a statutory nuisance under the Environmental Protection Act 1990.

I must emphasise that the Council is impartial in these matters and at this time we have no evidence to either substantiate or disprove the complaint. The purpose of this letter is to inform you that a complaint has been made and to enable you, if you think necessary, to review the matter in question. An investigation may require noise levels to be assessed or witnessed by officers, which may involve the use of noise monitoring equipment or site visits.

Should the investigation prove the complaint to be a statutory nuisance then the Council is legally required to serve a notice requiring abatement of the nuisance. However, I would again emphasise that, as we have no evidence to substantiate this at present, the Council is treating this complaint with an open mind.

If you wish to discuss the matter please do not hesitate to contact me, however please note that at this stage I am unable to divulge the complainant's details under the Data Protection Act.

Yours faithfully

Peter McMorrow  
Technical Support Officer







# NORTHUMBERLAND

## Northumberland County Council

Public Health Protection Unit · Fire & Rescue Service · West Hartford Business Park ·

Cramlington · Northumberland · NE23 3JP

Telephone: 0345 600 6400 · Fax (01670) 626059 · Web: [www.northumberland.gov.uk](http://www.northumberland.gov.uk)

Mr Tony Perkins  
Haltwhistle & District Working  
Mens Club  
Main Street  
Haltwhistle  
Northumberland  
NE49 0BZ

Your Ref:  
Our Ref: P073752  
Enquiries to: Simon Packham  
Direct Line: 01670 623726  
E-mail: [simon.packham@northumberland.gov.uk](mailto:simon.packham@northumberland.gov.uk)  
Date: 13 February 2018

Dear Mr Perkins,

### **Environmental Protection Act 1990 – Section 79**

**Report of Alleged Nuisance: Noise from compressor with missing acoustic cover.**

**Location: Haltwhistle & District Working Mens Club, Main Street, Haltwhistle, NE49 0BZ.**

The Council has received a complaint alleging that noise and amounting to a nuisance is occurring from the above mentioned premises. The Council has a legal obligation to investigate complaints such as these to establish if they are nuisances in law, that is a statutory nuisance under the Environmental Protection Act 1990.

I must emphasise that the Council is impartial in these matters and at this time we have no evidence to either substantiate or disprove the complaint. The purpose of this letter is to inform you that a complaint has been made and to enable you, if you think necessary, to review the matter in question. An investigation may require noise levels to be assessed or witnessed by officers, which may involve the use of noise monitoring equipment or site visits.

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If you wish to discuss the matter please do not hesitate to contact me, however please note that at this stage I am unable to divulge the complainant's details under the Data Protection Act.

Yours faithfully

Simon Packham  
Community Safety Officer







# Northumberland County Council

Mr Stewart  
Haltwhistle Working Mens Club  
Main Street  
Haltwhistle  
Northumberland  
NE49 0BZ

**Your ref:**  
**Our ref:** 073752  
**Enquiries to:** Nicholas Audsley  
**Email:** nicholas.audsley@northumberland.gov.uk  
**Tel direct:** (01670) 623714  
**Date:** 14th August 2018

Dear Sir

**Environmental Protection Act 1990 – Section 79**  
**Report of Alleged Noise Nuisance from noise at Haltwhistle Working Mens Club, Main Street, Haltwhistle.**

This department has now received continued complaints concerning noise at the above premises. It is alleged that a noise nuisance exists which causes disturbance to other residents in the area and that no attempts are made to remedy the situation. This is due to noise from the cellar chiller unit to the rear of the premises and noise from live and amplified music during functions.

Other issues have been raised with regard to the keeping of the bins in the alleyway to the side of the club instead on under the stairs. Emptying the bottle bins after closing hours instead of the next morning.

I am writing to bring your attention to the provisions of the Environmental Protection Act 1990 which states that if noise amounting to a nuisance exists or is likely to occur or recur, the local authority may take summary action under the Act which may lead to a fine.

Monitoring of the situation may be carried out during the next three months. This may include officers witnessing the noise levels in neighboring premises and/ or the use of monitoring and recording equipment such as [digital recorders, cameras and/or sound level meters].

I would therefore urge your co-operation in ensuring that a nuisance is not caused in the future, so that no further action is necessary by this department. Should you have any queries regarding this matter please contact me at the above address.

~~Yours faithfully,~~

~~Nicholas Audsley~~  
Technical Officer





*HALTWHISTLE & DISTRICT WMC Ltd*

Industrial &amp; Provident Socs. Act 1965 Reg. No : 6797R Northumberland. VAT Reg. No.: 176 7487 12.

BANK HOUSE, MAIN STREET, HALTWHISTLE, NORTHUMBERLAND NE49 0BZ  
Tel.: Bar (01434) 320247  
Email: jonny.stratton@haltwhistlewmc.com

Chairman: D Perry, Secretary: D Smith, Treasurer: J Stratton

17<sup>th</sup> September 2018

Northumberland County Council

By email (nicholas.audsley@northumberland.gov.uk)

Dear Sirs,

**Environmental Protection Act 1990 – Section 79**  
**Your ref.: 073752**

Thank you for your letter of 14<sup>th</sup> August 2018.

We are somewhat surprised by the fact that complaints about noise emanating from the Club have been made to you bearing in mind that there has been no change in the Club's operation or cellar cooling system for a considerable number of years (at least 25 years in our collective memory).

However we are keen to be good neighbours and have investigated the complaints that you have set out.

With regard to the external cellar cooler we called out Carlisle Refrigeration Limited (the original suppliers and subsequent maintainers of the cellar cooling equipment). They have serviced the external cellar cooler. They noted that the condenser was partially blocked and cleaned it with Nitrogen. They commented that noise reducing insulation in the condenser unit housing was intact. Carlisle Refrigeration's service and cleaning of the relevant equipment should result in quieter operational noise and in the unit running less frequently. We hope that this alleviates this aspect of the complaints.

With regard to noise from entertainment (and such entertainment is less frequent than it was a number of years ago), we have identified a problem with a window being open next to PA speakers. We have instructed staff that on no account must the said window be open in the future when there is music of any sort on in the Club.

With regard to the positioning of the Club's rubbish bins, these are where they have been since time immemorial. We cannot position them where they would have a potential to block one of the Club's essential Fire Escape's. With regard to noise resulting from bottles being dumped into the bins late at night, we have instructed staff as per the attached Notice.

We hope that all of the foregoing demonstrates that we have taken the complaints seriously and that we have responded in a reasonable and responsible way.

We would note that none of the foregoing is intended to comprise any admission that the Club has been responsible for noise amounting to statutory Noise Nuisance.

We look forward to hearing from you with any comments or advice.

Yours faithfully,

Jonny Stratton (treasurer)  
pp The Committee

BANK HOUSE, MAIN STREET, HALTWHISTLE, NORTHUMBERLAND NE49 0BZ

Tel.: (01434) 320247

e-mail: jonny.stratton@haltwhistlewmc.com

Chairman: D Perry, Secretary: D Smith, Treasurer: J Stratton

## **NOTICE TO STAFF**

3.9.18

In order to alleviate potential noise nuisance to the Club's neighbours,

IT IS IMPERATIVE THAT NO BOTTLES OR OTHER RUBBISH ARE EMPTIED INTO THE CLUB'S OUTDOOR RUBBISH BINS AFTER 10pm ON ANY EVENING. SUCH BOTTLES/RUBBISH SHOULD BE EMPTIED INTO THE CLUB'S BINS THE FOLLOWING MORNING BY DAY SHIFT STAFF.

D Smith (Secretary)

pp The Committee

# NORTHUMBERLAND

Northumberland County Council

## Certificate of Service

Ref: NOU002465

I hereby certify that I **Simon Packham**

of the Public Health Protection Unit, Fire & Rescue Service, West Hartford Business Park, Cramlington, Northumberland, NE23 3JP, served:

**To Haltwhistle & District Working Mens Club & Institute Ltd**

**At: Bank House, Main street, Haltwhistle, Northumberland NE40 0BZ**

with:

- **Cover letter**
- **Abatement Notice under Section 79 of the Environmental Protection Act 1990**

a true copy of which is annexed to this Certificate of Service, by:

- [handing it to: ..... *[insert full name of person accepting service]\**]
- ✓ **sending it by First Class Post by placing it for collection by Royal Mail at the Post Room, Fire & Rescue Service, West Hartford Business Park, Cramlington, Northumberland, NE23 3JP**
- leaving it at the address for service referred to above.\*
- .....  
*[other recognised method of service – please specify]\**

at 135 on 17/10/18

Signed: .....

Full name: Simon Packham

Job Title: **Community Safety Officer**

Date: **17th October 2018**







# Northumberland County Council

The Company Secretary  
Haltwhistle and District Working Men's Club  
and Institute Ltd,  
Bank House,  
Main Street,  
Haltwhistle,  
Northumberland,  
NE49 0BZ.

**Your ref:**  
**Our ref:** NOU002465  
**Enquiries to:** Simon Packham  
**Email:**  
simon.packham@northumberland.gov.uk  
**Tel direct:** (01670) 623726  
**Date:** 17th October 2018

Dear Sir/Madam,

## **Environmental Protection Act 1990 - Section 79**

**Report of nuisance from operation of the large outlet fan serving the chiller unit in the club cellar located at the rear of the Haltwhistle and District Working Men's Club and Institute Ltd, Bank House, Main Street, Haltwhistle, Northumberland, NE49 0BZ**

I write to inform you that on 2nd November 2017 this department received a complaint regarding an alleged noise nuisance arising from the above named property. As a result of this, the matter was investigated by officers of this authority using noise monitoring equipment.

On review of the evidence gathered during this investigation has resulted in the council determining that a statutory nuisance exists from noise emitted from the large cooling fan at the rear of the premises.

As a result the council has today served you with an abatement notice under the above legislation that requires you to abate the nuisance within 28 days of the date of service and prohibit a recurrence of the said nuisance.

Failure to comply with the terms of the notice may result in the council taking legal action against you in the local magistrates court.

It is strongly recommended that you employ the services of an acoustic consultant to inspect and assess the noise emissions from the outlet chiller fan, in order to prepare a report of appropriate options to alleviate the aforesaid nuisance. The identified works should then be undertaken by a competent person and/or company.

You have the right to appeal against this notice and full details have been attached.

If you require any further information please do not hesitate to contact me at this authority.

Yours sincerely,

**Simon Packham**  
**Community Safety Officer, Housing and Public Protection Service**



**Philip Soderquest, Head of Housing & Public Protection**  
Public Health Protection Unit, Housing and Public Protection Service,  
West Hartford Business Park, Cramlington, Northumberland, NE23 3JP  
[www.northumberland.gov.uk](http://www.northumberland.gov.uk)





# Northumberland County Council

NOU002465

## **Abatement Notice in respect of statutory nuisance**

**Environmental Protection Act 1990 Part III ("the Act")**

**To: Haltwhistle & District Working Mens' Club and Institute Ltd, (Company number IP06797R)**

**of: Bank House, Main Street, Haltwhistle, Northumberland, NE40 0BZ**

**TAKE NOTICE** that Northumberland County Council ("the Council") whose principal offices are at County Hall, Morpeth, Northumberland, NE61 12EF is satisfied of the existence and likely recurrence of a statutory nuisance under Section 79(1) (g) of the Act emitted from the premises known as:

**Haltwhistle & District Working Mens' Club & Institute, Bank House, Main Street, Haltwhistle, Northumberland NE49 0BZ.**

within the administrative county of the Council.

### **The nuisance is:**

noise from the large outlet cooling fan serving the chiller unit in the club cellar which is located at the rear of the premises.

### **You are:**

the company responsible for the nuisance

### **What you are required to do:**

to abate the nuisance and thereafter neither cause, permit nor otherwise allow its recurrence.

### **Time for compliance:**

within 3 **calendar months**

from the date of service of this Notice upon you.

### **WARNING:**

- (1) If without reasonable excuse you contravene or fail to comply with any requirements of this notice you will be committing an offence under section

80(4) of the Act. On summary conviction a fine of any amount may be imposed together with a further fine of an amount equal to one tenth of the greater of £5,000 or Level 4 of the standard scale (£2,500) for each day on which the offence continues after conviction.

A person who commits an offence under section 80(4) on industrial, trade or business premises shall be liable on summary conviction to a fine.

- (2) If the Council considers that these criminal proceedings would afford an inadequate remedy, it may take proceedings against you in the High Court for securing the abatement, prohibition or restriction of the nuisance.
- (3) Whether or not the Council takes proceedings under section 80(4) of the Act, if you fail to comply with this notice the Council may abate the nuisance itself and do whatever is required to achieve compliance with the notice. Any expenses incurred in doing so may be recovered by the Council from you.

### **Statutory Nuisance (Appeals) Regulations**

**Right of Appeal:** You may appeal against this notice to a magistrates' court **within 21 days** beginning with the date of service of this notice. The grounds of appeal prescribed in the Regulations are attached.

**Signed on behalf of the Council:**

.....  
Linden James Dodds  
Senior Environmental Health Officer  
Public Health Protection Unit  
Northumberland County Council

**Dated:** 17th October 2018

**Annex:**

**Appeals should be made to:**

**Newcastle upon Tyne Magistrates**

sitting at the Newcastle upon Tyne Magistrates Court, Market Street, Newcastle upon Tyne  
NE99 1AU

**Correspondence address:**

Centralised Listing Unit  
Gateshead County Court and Family Court Hearing Centre  
Gateshead Law Courts  
Warwick Street  
Gateshead  
Tyne & Wear  
NE8 1DT

E-mail: [NO-Listings@Justice.gov.uk](mailto:NO-Listings@Justice.gov.uk)

**Statutory Nuisance (Appeals) Regulations 1995**

**Appeals under section 80(3) of the Environmental Protection Act 1990**

The grounds on which a person served with such a notice may appeal under section 80(3) are any one or more of the following grounds that are appropriate in the circumstances of the particular case—

- (a) that the abatement notice is not justified by section 80 of the 1990 Act (summary proceedings for statutory nuisances);
- (b) that there has been some informality, defect or error in, or in connection with, the abatement notice, or in, or in connection with, any copy of the abatement notice served under section 80A(3) (certain notices in respect of vehicles, machinery or equipment);
- (c) that the authority have refused unreasonably to accept compliance with alternative requirements, or that the requirements of the abatement notice are otherwise unreasonable in character or extent, or are unnecessary;
- (d) that the time, or where more than one time is specified, any of the times, within which the requirements of the abatement notice are to be complied with is not reasonably sufficient for the purpose;
- (e) where the nuisance to which the notice relates—
  - (i) is a nuisance falling within section 79(1)(a), (d), (e), (f), (fa) or (g) of the 1990 Act and arises on industrial, trade, or business premises, or
  - (ii) is a nuisance falling within section 79(1)(b) of the 1990 Act and the smoke is emitted from a chimney, or
  - (iii) is a nuisance falling within section 79(1)(ga) of the 1990 Act and is noise emitted from or caused by a vehicle, machinery or equipment being used for industrial, trade or business purposes, or
  - (iv) is a nuisance falling within section 79(1)(fb) of the 1990 Act and—

- (aa) the artificial light is emitted from industrial, trade or business premises, or
- (bb) the artificial light (not being light to which sub-paragraph (aa) applies) is emitted by lights used for the purpose only of illuminating an outdoor relevant sports facility (within the meaning given by section 80(8A) of the 1990 Act),

that the best practicable means were used to prevent, or to counteract the effects of, the nuisance;

(f) that, in the case of a nuisance under section 79(1)(g) or (ga) of the 1990 Act (noise emitted from premises), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of—

- (i) any notice served under section 60 or 66 of the 1974 Act (control of noise on construction sites and from certain premises), or
- (ii) any consent given under section 61 or 65 of the 1974 Act (consent for work on construction sites and consent for noise to exceed registered level in a noise abatement zone), or
- (iii) any determination made under section 67 of the 1974 Act (noise control of new buildings);

(g) that, in the case of a nuisance under section 79(1)(ga) of the 1990 Act (noise emitted from or caused by vehicles, machinery or equipment), the requirements imposed by the abatement notice by virtue of section 80(1)(a) of the Act are more onerous than the requirements for the time being in force, in relation to the noise to which the notice relates, of any condition of a consent given under paragraph 1 of Schedule 2 to the 1993 Act (loudspeakers in streets or roads);

(h) that the abatement notice should have been served on some person instead of the appellant, being—

- (i) the person responsible for the nuisance, or
- (ii) the person responsible for the vehicle, machinery or equipment, or
- (iii) in the case of a nuisance arising from any defect of a structural character, the owner of the premises, or
- (iv) in the case where the person responsible for the nuisance cannot be found or the nuisance has not yet occurred, the owner or occupier of the premises;

(i) that the abatement notice might lawfully have been served on some person instead of the appellant being—

- (i) in the case where the appellant is the owner of the premises, the occupier of the premises, or
- (ii) in the case where the appellant is the occupier of the premises, the owner of the premises,

and that it would have been equitable for it to have been so served;

(j) that the abatement notice might lawfully have been served on some person in addition to the appellant, being—

- (i) a person also responsible for the nuisance, or
- (ii) a person who is also owner of the premises, or
- (iii) a person who is also an occupier of the premises, or
- (iv) a person who is also the person responsible for the vehicle, machinery or equipment,

and that it would have been equitable for it to have been so served.





**RESPONSE TO LD's email ASKING FOR RESPONSE 10th January 2019**

Fwd: Re: Your ref.: 073752

Inbox

x

Jonathan Stratton

13:25 (2 hours ago)

to linden.dodds, me

Dear Sir,

Thank you for your email of 10.1.19 (11.02). I thought that it may be of greater assistance if I forwarded the email chain hereunder rather than replying directly to your said email.

By way of brief background, the cellar external cooling fan ("fan") has been in operation for at least 25 years, but in all probability around 45 years. We have had no complaints about noise nuisance with regard to the fan prior to Northumberland County Council ("the Council")'s letter of 14.8.18. Following receipt of that letter we took the steps set out in our letter to you of 17.9.18 (attached to an email of the same date hereunder).

We received the Council's letter and Abatement Notice of 17.10.18. These related to complaints about noise nuisance received by the Council prior to the steps that we took between 14.8.18 and 17.9.18. Given this, we were of the reasonable opinion that the said steps might have resolved the issue and awaited a response to our 17.9.18 letter in this regard. We did not receive, and still have not received, any such response.

We were then made aware that a Council Officer (Mr Packham) had visited our premises on 5.12.18 and wrote to Mr Packham on 18.12.18 (as below) with regard to the Abatement Notice and lack of response to our 17.9.18 letter as to whether the noise nuisance issue was resolved. Mr Packham responded on 21.12.18 by email (hereunder) stating that further noise measurements, post-dating the steps that we had taken, indicated that a noise nuisance remained.

Given all of the foregoing, and on the basis that we were not aware that the noise nuisance had not been appropriately abated by the actions set out in our 17.9.18 letter (due to the absence of a response to this letter) until 21.12.18, we would request an extension of time for compliance with the Abatement Notice until 21.3.19 (3 months from Mr Packham's 21.12.18 email notifying us that a nuisance

still existed).

In response to the substance of your 10.1.19 email, regarding steps that we are currently taking, we have a senior engineer from Carlisle Refrigeration attending our premises on Tuesday 15.1.19 to consider whether a new fan would result in a reduction of noise and whether an alternative placement of the said fan, or an alternative method of cooling would be reasonably practicable and lead to a reduction in noise. We have asked for a report and costings in this regard following the engineer's site visit.

With reference to our 18.12.18 email, we would respectfully reiterate our request for disclosure of copies of all noise monitoring readings taken by the Council and a copy of the Council's "review of evidence" mentioned in the Council's 17.10.18 letter (such review being redacted with regard to complainants' identities if necessary). Such disclosure would greatly assist us in determining appropriate steps to be taken to alleviate any noise nuisance.

We note that Council Officers have attended our premises at least twice in the past few months. Whilst Council Officers are clearly welcome at any time, it might be more beneficial in the event of any future such attendances, if we could be forewarned so that we could arrange for an official or member of the Club management committee to also be in attendance, for a discussion of outstanding issues and resolution of any such issues.

I look forward to hearing from you with regard to all of the above and thank you in advance for your assistance in resolving the issues surrounding the Abatement Notice.

Kind regards,

Jonny Stratton (Treasurer)

Haltwhistle WMC

**REPLY 10th Jan 2019**

Linden Dodds <linden.dodds@northumberland.gov.uk>  
16:55 (1 minute ago)  
to jonny.stratton

The Environmental Protection Act 1990 Abatement Notice  
Haltwhistle Working Mens Club

Dear Sir,

Thank you for your reply to my e-mail today.

Whilst I appreciate that that works were undertaken to the external cooling fan on the 14/8/18 and the 17/9/18 the Environmental Protection Act S 79 Abatement Notice was served well after that date on the 17/10/18. With regards to this chronology therefore it was recognised that the letter and the attached notice on that date did duly respond to your response of the 17/9/18. However, I apologise if there may have been some confusion surrounding correspondence between you and officers of this authority.

With regards to your request to extend the term of the Abatement Notice I note that Carlisle Refrigeration are to visit the Club premises on the 15/1/19 to consider the most appropriate measures to be taken to resolve the noise issue. As the actual method of repair or replacement of the cooling plant will be determined on that day I would be obliged if you could provide me with a copy of the proposals in order to establish what time is reasonable required to carry out these works. I will then consider the request on this basis.

I have forwarded your request regarding the disclosure of noise recordings made by this authority to the Councils Freedom of Information team for their due consideration to establish the actual information I am able to supply to you.

The Councils Officers have attended your premises in the last few months in order to ascertain your progress and offer assistance where necessary to facilitate and assist you in abating the nuisance, following the lack of contact surrounding your intentions. However, I do recognise that it would have been better to formalise appointments to meet the preferred members of the management committee rather than visiting by chance. If you could provide the necessary contact telephone numbers or e-mail address of those members to attend at future visits this will enable easier cooperation between both parties.

Yours sincerely  
Linden Dodds

Senior Environmental Health Officer





# Northumberland County Council

Mr Dryden Smith (Club Secretary)  
Haltwhistle WMC  
Main Street  
Haltwhistle  
Northumberland  
NE49 0BZ

**Your ref:**  
**Our ref:** NOU002465  
**Enquiries to:** Linden Dodds  
**Email:** linden.dodds@northumberland.gov.uk  
**Tel direct:** (01670) 623831  
**Date:** 24th January 2019

Dear Sir,

**Environmental Protection Act 1990, Sections 79 and 80  
Statutory Nuisance:**

**Noise from large cellar Cooling fan at the rear of the Haltwhistle Working Men's Club  
Haltwhistle, Northumberland**

I refer to my visit with Nicholas Audsley (Technical Officer) yesterday with regard to the outstanding Abatement Notice served under section 79(1) (g) of the Environmental Protection Act 1990 in respect of a statutory nuisance, on 17th October 2018; that expired on the 17th January 2019 (i.e. after 3 Calendar months)

At the meeting we discussed the aspects of the outstanding notice from which you showed us a copy of an assessment with proposals prepared by Carlisle Engineering that you kindly agreed to forward to me. During the discussion the noise measurements were demonstrated to Mr Tony Perkins which illustrated the extent of the problem and the noise being experienced by the complainant. With regards to the the identified works I enquired as to the time required by the Club to enable the required work undertaken. Mr Perkins stipulated that once agreed by the Committee this could be done with 2 weeks. In lieu of this and making an allowance for us to revisit the Club to ensure that the works carried out have been satisfactory and subsequently ascertain that no further measures are needed for the statutory notice to be complied; I hereby extend the period of the Abatement Notice **until the 25th February 2019.**

**NB I would remind you that if the terms of the notice have not been complied with by that date (unless there are specified circumstances deemed to be beyond your control) further investigations into this matter will be undertaken which could lead to prosecution for non compliance of this notice.**

Once the proposed works have been completed I would be obliged if you could contact me immediately and we will revisit your premises to establish that the the noise nuisance has been abated..

**Philip Soderquest, Head of Housing & Public Protection**

Public Health Protection Unit, Housing and Public Protection Service,  
West Hartford Business Park, Cramlington, Northumberland, NE23 3JP  
[www.northumberland.gov.uk](http://www.northumberland.gov.uk)



Should you wish to discuss this further, please do not hesitate to contact me as necessary.

Yours sincerely,

Linden Dodds  
Senior Environmental Health Officer

Jonathan Stratton  
 30 Jan 2019, 16:48 (16 hours ago)  
 to me

Dear Mr Dodds,

Thank you for your recent visit to our Club regarding noise nuisance issues and follow-up email dated 30.1.19 (14.16).

As discussed, please find the emailed report from Carlisle Refrigeration hereunder.

Carlisle Refrigeration will begin all of the works set out below during the week commencing 4.2.19 (on a day yet to be notified to us) and finalise all of the works during the week commencing 11.2.19 (after the workshop work referred to has been carried out).

Please do not hesitate to contact us with any queries.

Kind regards,

Jonny Stratton (Club Treasurer)

Haltwhistle WMC

----- Original Message -----

From: Paul Ferguson < >  
 To: "jonny.stratton( " >  
 <jonny.stratton( >  
 Cc: "david.stratton( >  
 <david.stratton( >  
 Date: 15 January 2019 at 11:52  
 Subject: CELLAR COOLING ISSUES

Good Morning ,

Following on from my visit yesterday regarding the cellar cooling issues we have the following report .

The outdoor condensing unit would create noise wherever it is sited within the yard area due to the built up housing around it ,this noise is normal from a condensing unit of its age and cannot be reduced without compromising the unit's operating capability .

The indoor cooler is badly choked with dirt and has one fan motor missing, this condition forces the outdoor unit to run longer than

normal ,the internal thermostat was also set to 42 degrees instead on 48 degrees ,this also causing the outdoor unit to run longer, I have adjusted the thermostat settings.

We would recommend the internal cooler be stripped and cleaned out on site , I originally suggested it be removed from site but due the R22 gas restrictions this may not be possible so providing you have a drain in the cellar and a hose /tap down there we can do it in position.

The manufacture of the cooler no longer trade ,however we can obtain a replacement motor for the missing one and another for the noisy motor ,the only issue would be the missing fan blade ,this would be a case of removing a working blade and taking it back to Carlisle as a sample, then returning a second time to fit the two blades .

The existing time clock could be set up to switch the outdoor unit off overnight ,this will help the situation.

Our cost for the above excluding the replacement blade as we don't know at this point what the cost for the blade would be at this stage will be as follows.

Labour for strip and clean on site £665.00 + vat

Labour to return and fit blades £193.50 + vat (cost of blade to follow)

2 X internal cooling motors £488.75 + vat.

The area below the cooler would require cleared prior to the first visit if work was to go ahead.

Please let me know if you require further information.

Regards Paul .

Paul Ferguson

Commercial Service and Contracts Manager

Tel:

Mobile: †

Carlisle Refrigeration Limited is a company registered in England.



Company Registration No. 1844394

Head office:

Brunthill Road

Kingstown Industrial Estate

Carlisle

CA3 0EH





# Northumberland County Council

Mr Dryden Smith (Club Secretary)  
Haltwhistle WMC  
Main Street  
Haltwhistle  
Northumberland  
NE49 0BZ

**Your ref:**  
**Our ref:** NOU002465  
**Enquiries to:** Linden Dodds  
**Email:** linden.dodds@northumberland.gov.uk  
**Tel direct:** (01670) 623831  
**Date:** 28th February 2019

Dear Sir,

**Environmental Protection Act 1990, Sections 79 and 80  
Statutory Nuisance:**

**Noise from large Cellar Cooling Fan at the rear of the Haltwhistle Working Men's Club Haltwhistle, Northumberland**

I refer to my visit yesterday with Nicholas Audsley (Technical Officer) when we spoke with Tony Perkins with regard to the outstanding Abatement Notice served under section 79(1)(g) of the Environmental Protection Act 1990 in respect of a statutory nuisance, on 17th October 2018. This expired on the 17th January 2019 after 3 Calendar months being allowed to undertake the works. Following our discussions on 23rd January 2019 the notice was subsequently extended until the 25th February 2019 prompting the need for a further revisit to your Club premises to ascertain the current situation regarding the compliance with the notice.

Mr Perkins explained that Carlisle Engineering had been out to the Club and had removed two of the four fan blades that were broken on the cellar cooling plant. As these fan blades are obsolete they are no longer available to be supplied they and consequently these are having to be manufactured individually.

I recognise that you are reliant on the contractor in undertaking these works but I am very conscious that the specified timescales have again slipped and the complainants are still having to endure excessive levels and persistently asking me when these works will be complete.

On further discussion with Mr Perkins we reiterated that these repairs and modifications may not achieve the required noise attenuation and consideration should be given now to the enclosure of this external cooling plant. I would again strongly recommend that you speak with an Acoustic Consultant for guidance in what would be the most practical cost effective and efficient in achieving this. I can provide you with a copy of Acoustic

Philip Soderquest, Head of Housing & Public Protection

Public Health Protection Unit, Housing and Public Protection Service,  
West Hartford Business Park, Cramlington, Northumberland, NE23 3JP  
[www.northumberland.gov.uk](http://www.northumberland.gov.uk)



consultants if required but this must be undertaken urgently as this matter has already been protracted.

It is becoming increasingly difficult to continue extending this notice and although I acknowledge that the Club Committee are now working towards compliance I need a reassurance that this will be done as soon as possible. However, as we subsequently agreed that we would further extend the Abatement notice **until the 25th March 2019**.

**NB I would again remind you that if the terms of the notice have not been complied with by that date I could be left with no alternative but to prepare the file for our legal department to consider prosecution for non compliance of this notice.**

In addition I would be obliged if you could contact me with a weekly update on the ongoing works together with the actual completion date immediately to enable a visit to be made to your premises to establish that the the noise nuisance has been abated..

Should you wish to discuss this further, please do not hesitate to contact me as necessary.

Yours sincerely,

Linden Dodds  
Senior Environmental Health Officer



# Northumberland County Council

Mr Dryden Smith (Club Secretary)  
Haltwhistle WMC  
Main Street  
Haltwhistle  
Northumberland  
NE49 0BZ

**Your ref:**  
**Our ref:** NOU002465  
**Enquiries to:** Linden Dodds  
**Email:** linden.dodds@northumberland.gov.uk  
**Tel direct:** (01670) 623831  
**Date:** 25th March 2019

Dear Mr Smith,

## **Environmental Protection Act 1990, Sections 79 and 80**

### **Statutory Nuisance:**

### **Noise from large Cellar Cooling Fan at the rear of the Haltwhistle Working Men's Club Haltwhistle, Northumberland**

I refer to the Abatement Notice under section 80 of the Environmental Protection Act 1990 in respect of a statutory nuisance under section 79(1)(g) of that Act, which was served on you on 17th October 2018. This expired on the 17th January 2019 after 3 Calendar months being allowed to undertake the works. On 23rd January 2019 the notice was subsequently extended until the 25th February 2019 with a further extension given until the 25th March 2019 to facilitate the compliance of the notice.

As the stipulated time for the statutory notice together with extensions have now past and whilst I acknowledge that identified works to abate the nuisance have been undertaken by Carlisle Engineering, I now intend to reassess the noise to determine if the Abatement Notice is being breached.

Should you wish to discuss this matter further, please do not hesitate to contact me.

Yours sincerely,

Linden Dodds  
Senior Environmental Health Officer



Philip Soderquest, Head of Housing & Public Protection  
Public Health Protection Unit, Housing and Public Protection Service,  
West Hartford Business Park, Cramlington, Northumberland, NE23 3JP  
[www.northumberland.gov.uk](http://www.northumberland.gov.uk)







# Northumberland County Council

Mr Dryden Smith  
Club Secretary  
The Haltwhistle & District Working Men's  
Club and Institute Limited  
Company Number IP06797R  
Bank House  
Main Street  
Haltwhistle  
Northumberland  
NE49 0BZ

Your ref:  
Our ref: NOU002530  
Enquiries to: Linden Dodds  
Email: linden.dodds@northumberland.gov.uk  
Tel direct: (01670) 623831  
Date: 22nd May 2019

## Environmental Protection Act 1990, Sections 79 and 80

### Statutory Nuisance:

**Noise from large Cellar Cooling Fan at the rear of the Haltwhistle Working Men's Club Haltwhistle, Northumberland**

Dear Sir,

I write to you further to an email sent on the 3rd May 2019 to the Club Treasurer Mr J Stratton and copied to the Club Chairman Mr David Perry on the 9th May 2019; regarding the outstanding Abatement Ref:NOU002530 , to enable them to read the content to your Club Committee, as I was informed at that time that you were unwell.

As I stated in the emails, officers have now assessed recent noise measurements taken at the complainants property (caused by the large external cellar cooling fan) following its maintenance, installation of the time restriction for use, etc undertaken by Carlisle Engineering. However, whilst the noise emissions appear to have reduced by between 2-5 decibels (depending on the number of external fans operating at any one particular time) the remaining noise level from the large cooling fan is still considered to be a statutory nuisance, and therefore a further reduction of the cooling fan noise emissions is required

**NB This should involve taking the advice of an Acoustic consultant; who will provide you with the most appropriate measures to reduce the noise output to an acceptable level e.g. by the installation acoustic barriers/enclosures etc.**

In addition I would be obliged if you could suggest some convenient times for officers to visit you or representatives of your Committee to finalise your intentions in relation to this..

**Philip Soderquest, Head of Housing & Public Protection**

Public Health Protection Unit, Housing and Public Protection Service,  
West Hartford Business Park, Cramlington, Northumberland, NE23 3JP  
[www.northumberland.gov.uk](http://www.northumberland.gov.uk)



Please be aware that as there is an established breach of the Abatement Notice, this department is now in discussion with our legal representatives with regard to possible prosecution and due consideration of reviewing your Club Premises Certificate. It is imperative therefore that the remedial noise control measures for the cooling fan are identified, with the works undertaken as quickly as possible to avert the service of a legal summons.

In addition if you could also provide me with a Committee Members name and a contact telephone number to enable officers to make direct contact with that person to establish more efficient progress in achieving the final abatement of the statutory nuisance.

If you wish to speak with me concerning this please contact me on the telephone number shown above.

Yours sincerely,

Linden Dodds  
Senior Environmental Health Officer