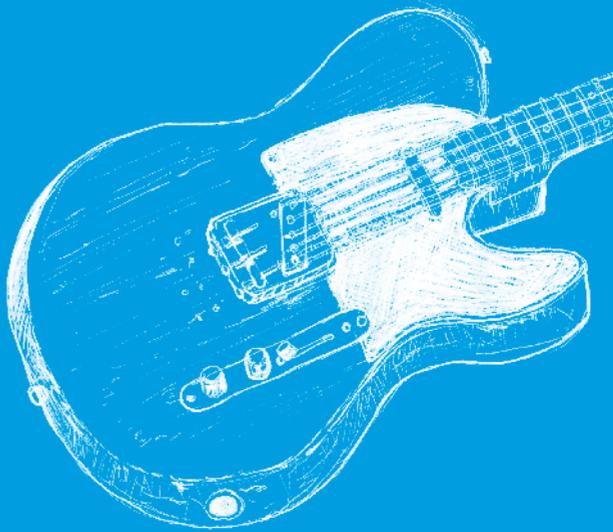




Brighton & Hove  
City Council

# CONTROL OF NOISE AT WORK

Regulations 2005



## ARE YOU READY?

A guide for employers in pubs  
and clubs & music venues

## **WHY ARE THERE NOISE REGULATIONS?**

Noise-induced hearing-loss has been recognised by the World Health Organisation as 'the most prevalent irreversible industrial disease'. It is irreversible but preventable. The regulations are intended to protect employees from risks to their health arising from exposure to noise. Research has been carried out nationally and locally.

The Control of Noise at Work Regulations 2005 came into force on 6 April 2006 for all workplaces, except for music and entertainment venues who were granted a two-year lead-in period to give time to prepare for the new regulations. Until this date, the Noise at Work Regulations 1989 continued to apply.

## **WHO NEEDS TO COMPLY?**

Everyone involved in the music and entertainment business has a responsibility to help ensure that no one suffers hearing damage from exposure to excessive noise - this duty applies whether you are an employee, freelancer or contractor or are self employed, in management, an owner or a promoter. Even if you are only involved in occasional events or functions staff noise exposure must still be assessed and managed.

If it is necessary to shout to have a conversation at about 2 m from another person, and the level of noise is like this or louder for more than two hours a day the risks to the hearing of employees should be assessed and controlled alongside other health and safety issues.

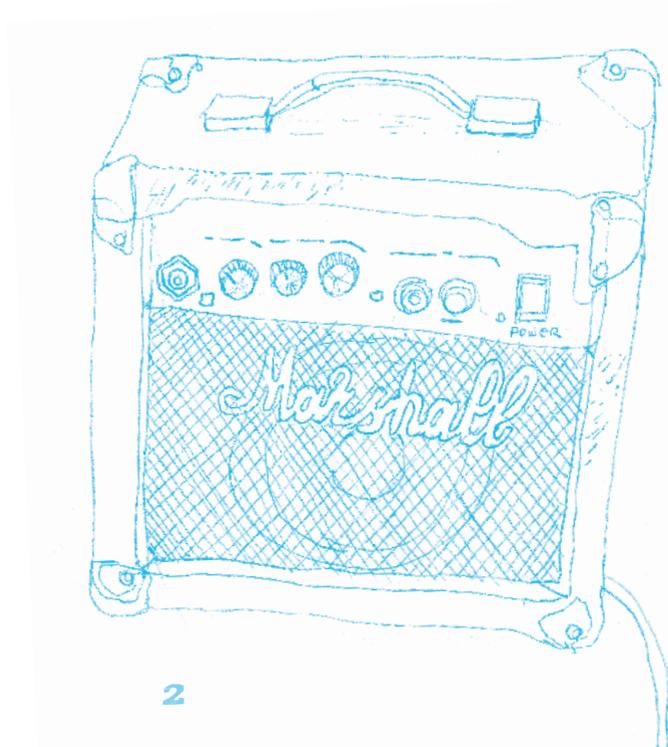
## **HOW WILL IT AFFECT ME?**

Employers will need to identify those employees who may be affected by noise exceeding the exposure action values, and take the appropriate measures to protect their hearing. There is support available to ensure pubs and clubs continue to provide entertainment to customers while at the same time ensuring that appropriate steps are taken to protect workers.

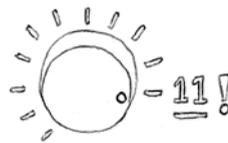
## WHAT ARE THE KEY REQUIREMENTS OF THE REGULATIONS?

The regulations require employers to:

- Assess and, if necessary, measure the levels of noise employees are exposed to.
- Eliminate the noise at source or, where this is not possible, reduce it to as low a level as reasonably practicable.
- Provide employees with suitable hearing protection where noise cannot be controlled at source.
- Ensure that new legal limits on noise exposure are not exceeded.
- Provide employees with information, instruction and training.
- Carry out health surveillance where the risk assessment indicates there is a risk to the health of employees.



## WHAT ARE THE REQUIREMENTS OF THE REGULATIONS?



### **Lower Exposure Action Value 80dB (A) (Daily Exposure) and/or 135dB (C) (Peak Sound Level)**

Undertake a risk assessment when noise levels reach or exceed this lower exposure action value.

Hearing protection must be made available on request to employees when this lower exposure action value is reached or exceeded.

### **Upper Exposure Action Value 85dB (A) (Daily Exposure) and/or 137dB (C) (Peak Sound Level)**

Employee exposure to noise must be reduced to as low a level as is reasonably practicable, excluding the provision of hearing protection, when this upper action level is reached or exceeded.

Hearing protection must be provided to employees and must be worn at all times, where all reasonable measures have been undertaken and a risk to hearing remains.

Health Surveillance (hearing checks) must be provided to employees regularly exposed to noise levels above 85dB (A)

### **Exposure Limit Value 87dB (A) (Daily or Weekly Exposure) and/or 140dB (C) (Peak Sound Level)**

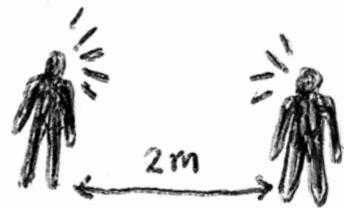
This must not be exceeded, after taking hearing protection into account.

## WHAT DO I NEED TO DO NOW?

Employers in the music and entertainment sectors must act now to comply with the regulations.

The first step is to establish whether there is a noise hazard through knowledge and simple observations. For example, ask yourself the following questions:

- Are employees exposed to noise which makes it necessary to shout rather than talk to someone one metre away, for more than about half an hour per day in total? The noise level here is probably 90 dB or more.
- Are employees exposed to noise which makes it necessary to shout rather than talk to someone two metres away, for more than about two hours per day in total? The noise level here is probably 85 dB or more.
- Are employees exposed to noise, which makes it possible to talk to someone two metres away, but the noise is intrusive - comparable to a busy street, a typical vacuum cleaner or a crowded restaurant, for more than about six hours per day in total? The noise level here is probably 80 dB or more.



**If the answer to any of these questions is yes, there are probably noise risks, which need to be properly assessed.**

If the answer is no to all of these questions, and an employer is satisfied that the risk from exposure to noise has been reduced to as low a level as is reasonably practicable, it is sufficient to record that fact and take no further action.

## WHAT IS A NOISE RISK ASSESSMENT AND HOW DO I CARRY ONE OUT?

A noise risk assessment is an examination of the likely risks employees are exposed to from noise levels at work. The aim of this assessment is to:

- Guide employers to effective control.
- Identify where there is a risk and who is affected.
- Provide a reliable estimate of noise exposure to compare with the first and second action levels; and
- Identify what is needed to comply (for example, noise control, hearing protection, health surveillance).

To carry out the tasks involved in a noise risk assessment requires competence in particular areas, for example, drawing up the risk assessment, measuring noise exposure and assessing the likely effectiveness of control measures.

Employers may have some of the necessary competencies themselves. They may have people within their workforce who are competent to carry out some of the tasks or provide them with the necessary information, perhaps with some training required. Alternatively employers may find that they need to call in competent people from outside their company, such as consultants, to carry out some or all of the work.

Employers must record the findings of this risk assessment.

The risk assessment must be reviewed regularly (ideally at least every two years), and straight away if a) there is reason to suspect that the risk assessment is no longer valid; or b) there has been a significant change in the work to which the assessment relates.

## **WHAT HAPPENS IF I DON'T DO ANYTHING, I'VE NEVER HAD TO BEFORE?**

First of all, although these noise regulations didn't come in to force until April 2008, the requirements of the Noise At Work Regulations 1989 applied up to that date. These included a general duty for employers to manage noise in the workplace and to reduce the risk of hearing damage to employees to the lowest level reasonably practicable, as well as other duties related to action levels.

Secondly, Brighton & Hove City Council, along with many other local authorities, is committed to working to help the transition to the new regulations. Those businesses that fail to react to these new requirements could ultimately face formal enforcement action.

Thirdly, employers could also find themselves faced with civil claims from employees and ex-employees whose hearing has been damaged due to exposure to workplace noise.

Noise control measures are not necessarily difficult or expensive. Effective simple controls may well be available, for instance, by arranging work in a different way to eliminate or minimise employee's exposure to noise, or by re-arranging the work place to position employees further away from noise sources. Remember, providing hearing protectors to employees should only be considered as a last resort if noise exposure cannot be reduced enough by other methods but is a useful interim measure to protect hearing.

Employers must now have policies and measures in place, to meet these new duties and to protect their employees and freelance musicians and performers from risks from noise.

# WHERE CAN I GET FURTHER HELP?

**Health & Safety Team** - Brighton & Hove City Council

Phone **01273 294429**

E-mail [ehl.safety@brighton-hove.gov.uk](mailto:ehl.safety@brighton-hove.gov.uk)

Web [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)

**Health & Safety Executive**

Web [www.hse.gov.uk/noise](http://www.hse.gov.uk/noise)

[www.soundadvice.info](http://www.soundadvice.info)

**The Association of Noise Consultants**

Phone 01727 896 092

Web [www.theanc.co.uk](http://www.theanc.co.uk)

**The Institute of Acoustics**

Web [www.ioa.org-uk](http://www.ioa.org-uk)

**Royal National Institute for the Deaf (RNID)**

Phone **0808 808 0123**

E-mail [informationline@rnid.org.uk](mailto:informationline@rnid.org.uk)

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with acknowledgement to Canterbury City Council

**Translation? Tick this box and take to any council office.**

ترجمة؟ ضع علامة في المربع وخذها إلى مكتب البلدية. Arabic

অনুবাদ? বক্সে টিক চিহ্ন দিয়ে কাউন্সিল অফিসে নিয়ে যান। Bengali

需要翻譯? 請在這方格內加剔, 並送回任何市議會的辦事處。Cantonese

ترجمه؟ لطفاً این مربع را علامتگذاری نموده و آن را به هر یک از دفاتر شهرداری ارائه نمایید. Farsi

Traduction? Veuillez cocher la case et apporter au council. French

需要翻譯? 請在這方格內划勾, 并送回任何市议会的办事处。Mandarin

Tłumaczenie? Zaznacz to okienko i zwróć do któregośkolwiek biura samorządu lokalnego (council office). Polish

Tradução? Coloque um visto na quadrícula e leve a uma qualquer repartição de poder local (council office). Portuguese

Tercümesi için kareyi işaretleyiniz ve bir semt belediye bürosuna veriniz Turkish

other (please state)

**This can also be made available in large print, Braille or on audio tape**

