

# ANNEX C

Report from Environmental Protection



## Log Cabin License Review Statement

### Statement of Laura Lewis

Occupation: Environmental Health Officer – Environmental Protection

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I am an Environmental Health Officer (Environmental Protection) for Powys County Council. I deal with environmental protection matters including noise complaints in the Radnorshire area.

I hold a BSc (Hons) in Public and Environmental Health. Prior to my appointment as an Environmental Health Officer, I worked as a Technical Officer in Environmental Protection, covering the Brecknock and Radnorshire areas.

The Initial complaint was received from [REDACTED] Hotel Owner, at the neighbouring Hotel Commodore, on the 7<sup>th</sup> August 2023. It was alleged that the noise from the Log Cabin had been an issue for a few years, however, since the end lockdown the noise had become more excessive from people gathering outside.

The Log Cabin used to be part of the Hotel Commodore, until the Hotel was sold [REDACTED] and are now two separate entities. The Hotel has several rooms which have windows overlooking the outside area.



The Log Cabin highlighted in red.

It was alleged that the noise from the outside area of the Log Cabin was worse once all the other licensed premises in the area close at midnight, when the Log Cabin is the only open premise which remains open. It was alleged that this noise regularly went on until 3 am.

After the initial complaint was received on the 7<sup>th</sup> August 2023, I spoke with the complainant on the 8<sup>th</sup> August 2023 to discuss the matter. I sent noise log sheets to the complainant for completion and a letter to the Log Cabin notifying them that we had received a noise complaint for people noise. Please see appendices 1 and 2.

I received no contact from anyone at the Log Cabin in respect of our letter.

The log sheets were returned to us and received in the 21<sup>st</sup> September 2023. The log sheets had entries covering dates Thursday 10<sup>th</sup> August 2023 until 7<sup>th</sup> September 2023. The entries all related to complaints received by the hotel from guests staying in the rooms above the outside area of the Log Cabin on Thursday, Friday and Saturday nights. The log sheets show the noise starting as early as 21:30, with the noise continuing until as late as 01:25 and 03:30. Please see appendix 3.

I installed the noise kit in room 12 of the Hotel Commodore, on 27<sup>th</sup> October 2023 and collected 7<sup>th</sup> November 2023. The noise kit constantly records the noise levels in decibels and also has an audio record function which allows the occupant of the room controls. During the time the noise kit was installed there was no guests staying in the room and the noise kit was operated solely by the complainant, [REDACTED]

There were several noise recordings showing people noise from the outside area of the Log Cabin, between the hours of 00:00 and 03:00. The decibel readings were between 40 and 60 dbs.

The World Health Organisation recommends night time noise to be below 30 dBA and whilst BS4142 relates to industrial noise, they state that anything above 10 dBA increase from the background noise would generate complaints. As one example at 03:38 on the 4<sup>th</sup> November 2022 the recordings were showing recordings of 64.1 dBA, after the Log Cabin closes the readings are between 25 and 30 dBA.

Please see attached appendix 4 for noise recording graphs, I will explain these to the committee.

Having listened to these recordings and in my professional opinion they are causing a public nuisance to the Hotel Commodore. The noise would prevent any guests from sleeping in these rooms due to the noise caused by customers outside the Log Cabin.

I seek to add a condition to the license, restricting the use of the outside area and for the doors to be kept closed from 00.00 to control the noise issues for local residents, this I feel will address the public nuisance. We would recommend that extra staff are employed to police this area to prevent people gathering outside.

## Appendices

1. Copy of letter to complainant
2. Copy of letter to subject
3. Copy of noise log sheets
4. Copy of noise recordings – it is my intention to play these to the licensing committee.
5. Picture of outside seating area of the Log Cabin from Room 12 of the Hotel Commodore.



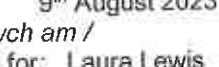

## Appendix 1



Gwilym Davies  
Pennaeth Eiddo, Cynllunio a  
Gwarchoed y Cyhoedd  
Head of Property, Planning and Public  
Protection

Gwasanaeth Iechyd yr Amgylchedd/  
Environmental Health Service  
Neuadd Brycheiniog  
Ffordd Cambrian / Cambrian Way  
Aberhonddu / Brecon  
Powys LD3 7HR

The Proprietor  
The Log Cabin  
Spa Road  
Llandrindod Wells  
Powys

Ffôn / Tel :   
E-bost / E-mail :   
Eich cyf / Your ref :   
Ein cyf / Our ref :   
Dyddiad / Date : 9<sup>th</sup> August 2023  
Os yn galw gofynnwch am /  
If calling please ask for: Laura Lewis

Dear Sir/Madam

**ENVIRONMENTAL PROTECTION ACT 1990  
ALLEGED NOISE NUISANCE ARISING AT: The Log Cabin, Spa Road,  
Llandrindod Wells, Powys**

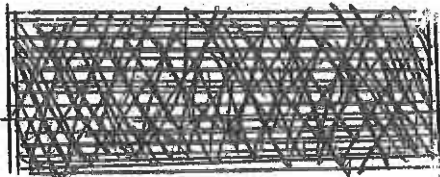
The Council has received a complaint about an alleged noise nuisance at the above premises caused by people noise.

At this stage, the complainant has been asked to provide further information regarding the complaint by keeping a log of events. However in the meantime, if you feel that there may be some justification for the complaint I would be grateful if you would ensure that you do not cause further disturbance. If, once the log is returned, it is considered that the complaint may constitute a statutory nuisance then the matter will be investigated through visits or the use of monitoring equipment.

Please be aware that if the problem is considered to be a statutory nuisance, an Abatement Notice will be served on you under section 80 of the Environmental Protection Act 1990. If you breach an Abatement Notice the maximum fine is unlimited.

If you wish to discuss the contents of this letter then please contact me.

Yours faithfully



**Laura Lewis  
Environmental Health Officer – Environmental Protection**

[www.powys.gov.uk](http://www.powys.gov.uk)

Croeso i chi gysylltu â ni yn Gymraeg. Byddwn yn ymateb yn Gymraeg, heb oedi.  
You are welcome to contact us in Welsh. We will respond in Welsh, without delay.



Er mwyn cyflenwi gwaith Gwasanaeth Iechyd yr Amgylchedd, mae angen prosesu data personol yn unol â'r ddeddfwriaeth berthnasol. Bydd y wybodaeth hon yn cael ei chadw yn unol â'r ddeddfwriaeth, a rhestr cadw wybodaeth y Cyngor. Os oes gennych unrhyw bryder ynghylch y defnydd a wneir o'ch data personol cysylltwch â'r Swyddog Diogelu Data trwy anfon e-bost at [Information.Compliance@powys.gov.uk](mailto:Information.Compliance@powys.gov.uk) <<mailto:Information.Compliance@powys.gov.uk>> neu ffoniwch 01597 826400. Sylwch fod modd dod o hyd i ragor o wybodaeth am Ddiogelu Data a Phreifatwydd yn y cyfeiriad gwe canlynol: <http://www.powys.gov.uk/privacy>

In order to deliver the Environmental Health Service, it is necessary to process personal data in accordance with the relevant legislation. Information held will be retained in accordance with the legislation and the Councils retention schedule. If you have any concerns regarding the use of your personal data please contact the Data Protection Officer by email at [Information.Compliance@powys.gov.uk](mailto:Information.Compliance@powys.gov.uk) or by phone at 01597 826400. Please note that further information on the Data Protection and Privacy can be found at the following address: <http://www.powys.gov.uk/privacy>





Gwilym Davies  
Pennaeth Eiddo, Cynllunio a Gwarchod  
y Cyhoedd  
Head of Property, Planning and Public  
Protection

Gwasanaeth Iechyd yr Amgylchedd/  
Environmental Health Service  
Neuadd Brycheiniog  
Ffordd Cambrian / Cambrian Way  
Aberhonddu / Brecon  
Powys LD3 7HR

[REDACTED]  
Hotel Commodore  
Spa Road  
Llandrindod Wells  
Powys  
LD1 5ER

Ffôn / Tel : [REDACTED]  
E-bost / E-mail : [REDACTED]  
Eich cyf / Your ref : [REDACTED]  
Ein cyf / Our ref : [REDACTED]  
Dyddiad / Date : 9<sup>th</sup> August 2023  
Os yn galw gofynnwch am /  
If calling please ask for: Laura Lewis

Dear Ms Murdock

**ENVIRONMENTAL PROTECTION ACT 1990**  
**ALLEGED NOISE NUISANCE ARISING AT: The Log Cabin, Spa Road, Llandrindod Wells, Powys**

I write further to your complaint regarding people noise from the above premises that you allege is giving rise to nuisance.

Following our discussion, an investigation will now be undertaken to decide whether a statutory nuisance exists. This investigation will involve the following:-

1. A letter will be sent to the person you allege is responsible for the nuisance to explain that a complaint has been received and an investigation will be undertaken and that monitoring may take place. Please note that at this stage of the investigation your identity will not be disclosed.
2. You should now keep a record of the problem on the attached monitoring log. The purpose of the log is to enable us to determine whether the nuisance being complained about is likely to constitute a statutory nuisance. As such it is important that you provide as much information as you can regarding the occurrences of the nuisance and its impact on you. Please note that you can supplement this information by submitting noise recordings via The Noise App ([www.thenoiseapp.com](http://www.thenoiseapp.com)). The log should be kept for 3 weeks and then returned to the Council within 2 weeks of completion. If you don't return the log within 2 weeks of completion your complaint may be closed and no further action taken.
3. Once received the completed log will be examined and provided there is sufficient evidence to suggest that a statutory nuisance may exist, then a full investigation will take place. The investigation may involve monitoring equipment being left at your premises and visits by a Council officer to assess the problem. Please note that during this time it is likely that you will be required to continue to keep a log.

[www.powys.gov.uk](http://www.powys.gov.uk)

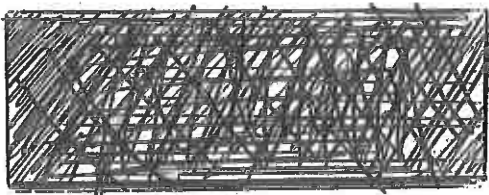
Croeso i chi gysylltu â ni yn Gymraeg. Byddwn yn ymateb yn Gymraeg, heb oedi.  
You are welcome to contact us in Welsh. We will respond in Welsh, without delay.

Continued...

4. If the Council officer is satisfied that a nuisance exists then an Abatement Notice will be served. Failure to comply with the Notice may result in the matter being brought before a Magistrates' Court when you may be required to attend as a witness.
5. It may be that the Council officer is not satisfied that a nuisance exists. However in that event you will be told and given information on alternative courses of action available to you.

If you wish to discuss the contents of this letter then please contact me.

Yours sincerely



**Laura Lewis**  
**Environmental Health Officer – Environmental Protection**

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ENVIRONMENTAL PROTECTION SERVICE

**Powys**

Noise Assessment Log

Worksheet Reference: 108m 536 Address where noise originated: Log Cabin outside Secondary

Log maintained by (Name): Deborah Williams

Address: 108m 536

Date	Noise start time	Noise finish time	Assessment Location (from, outside etc.)	Description of Noise	Noise rating 1 to 10 (1= as noise, 10= extreme noise)	Comments (effect noise has on you etc)	Weather (for outside noise)
11/07	11:45	14:30	Log Cabin	Radio music	10	no noise	
12/08	12:05	13:15	Outside Log Cabin	loud shouting screaming	10	could hear noise from the school	little rain warm night
17/08	10:30	11:25	Outside Log Cabin	Shouting, music, loud talking	10	could hear noise from the school	Warm NO rain
18/08	12:15	14:45	Outside Log Cabin	Shouting, music, singing, yelling	10	could hear noise from the school	little rain but warm
19/08	12:15	14:45	Outside Log Cabin	Shouting, music, loud music	10	could hear noise from the school	little rain but warm

I confirm this is an accurate record & that I am willing to act as a witness should legal action be considered necessary



Signed

Print name: A Williams Date: 19/08/23



**POVYS**

Noise Assessment Log Continuation Sheet

Sheet no. 2

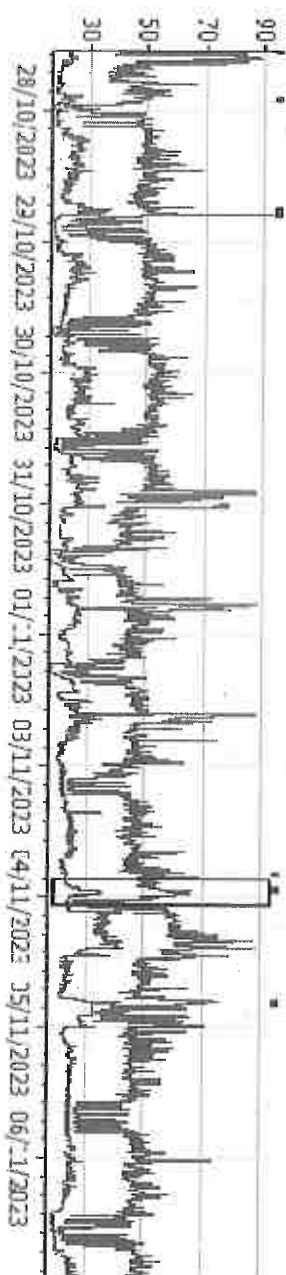
Date	Noise start time	Noise finish time	Assessment Location (room, outside etc.)	Description of Noise	Noise rating (1 to 10 for as close to existing noise)	Comments (effect on you etc.)	Witness (for outside noise)
21/08	10:45	1:38	Outside - Souths Leeg Coonin	Concrete mixing leveling	9	hot & quiet annoyance	PN no. no found
21/08	10:10	1:45			10		
21/08	10:50	3:25	Outside (Leeg) with Solex prepared area	Concrete, leveling chucking	10	quietest complaint complaint - sleep	PN no. found
21/08	10:45	3:15	Outside - Souths Leeg Coonin	Concrete, leveling chucking leveling	10	quietest complaint	PN 12216 found - very m
21/08					8		
21/08					10		
21/08					10		
21/08					8		
21/08					10		
21/08					8		

I confirm this is an accurate record & that I am willing to act as a witness should legal action be considered necessary

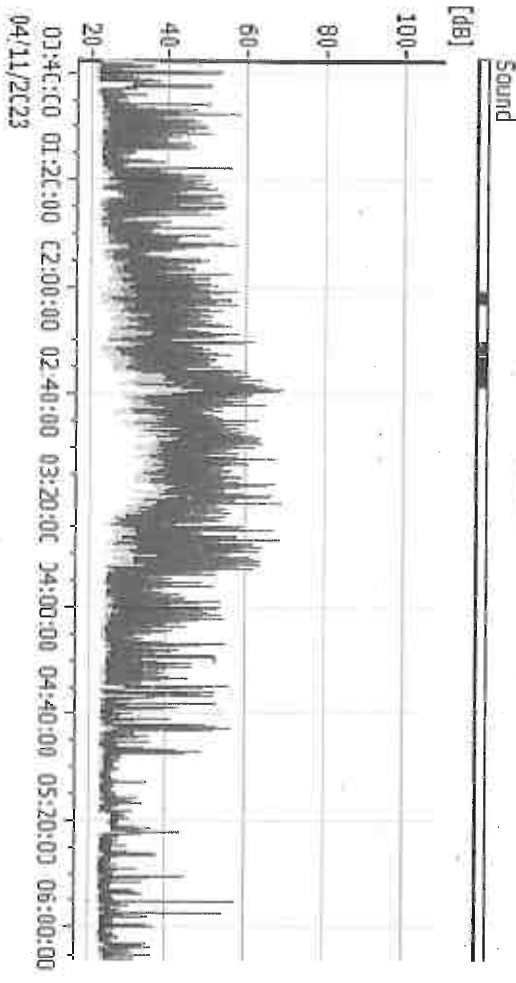
Signed



Print name: Paulina Swire Date: 08/09/23



Project 009



Cursor values

Logged  
 X 01:34:17 ~ 00:34:18  
 LAFmax 49.5 dB  
 LAFmin 48.3 dB  
 LAeq 48.9 dB

- o Sound 15:18:56
- o Sound 15:19:36
- o Sound 15:20:25
- o Sound 00:56:45
- o Sound 01:23:17
- o Sound 00:21:05
- o Sound 01:14:47
- o Sound 01:29:04
- o Sound 01:58:18
- o Sound 02:11:54
- o Sound 02:17:25
- o Sound 22:57:37
- o Sound 02:01:06
- o Sound 02:20:25
- o Sound 02:26:16
- o Sound 02:32:00
- o Sound 02:07:06
- o Sound 02:15:04

Measurement	Start Time	Stop Time	Elapsed Time	LAeq [dB]	LCpeak [dB]	LAFmax [dB]	LAFmin [dB]	Overload [%]
Total	27/10/2023 15:18:17	07/11/2023 14:00:47	10 22:42:19	47.8	34.3	101.9	16.5	0.0
logged	04/11/2023 00:34:17	04/11/2023 00:34:18	00:00:01	48.9	49.5	48.3		



Acid simulations using the button

Appendix 5



