What do I need to do now?

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

Why are there new 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.

The Control of Noise at Work Regulations 2005 became law on 6 April 2006 for all workplaces, except music and entertainment venues who were granted a two-year lead-in period to prepare for the new legislation. They replaced the Noise at Work Regulations 1989.

How will it affect me?

The two-year lead-in period for entertainment venues has now come to an end. Employers in pubs and clubs must now ensure that they have identified those employees who are affected by the new exposure action values, and have taken the appropriate measures to protect their hearing.
What are the key requirements of the new 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.

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Why must I act now?

Although the new noise regulations didn’t come in to force until April 2008 for music and entertainment venues, the requirements of the Noise At Work Regulations 1989 applied before that. 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.

All the local authorities in Kent, along with the Health and Safety Executive, are committed to working with pubs and clubs to help them achieve compliance with the new regulations. Those businesses that refuse the help that is available and who fail to react to the new requirements could ultimately face formal enforcement action.

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 employees’ exposure to noise, or by re-arranging the workplace to position employees further away from noise sources. (Remember, providing hearing protectors to employees can only be considered as a last resort if noise exposure cannot be reduced enough by other methods).

Employers need to start making preparations now, to meet these new duties and to protect their employees from risks from noise.
What are the differences between the old and new regulations?

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Where can I get further help?

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Canterbury City Council
Military Road, Canterbury CT1 1YW
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Fax 01227 478 612
E-mail occ.safety@canterbury.gov.uk
Web www.canterbury.gov.uk

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**Health & Safety Executive**
Web www.hse.gov.uk/noise

**The Institute of Acoustics**
Phone 01727 848 195
Fax 01727 850 553
E-mail ioa@ioa.org.uk

**Royal National Institute for the Deaf (RNID) Information Line**
Phone 0808 808 0123
E-mail informationline@rnid.org.uk

**The Association of Noise Consultants**
Phone 01727 896 092
Fax 01727 896 026
E-mail mail@association-of-noise-consultants.co.uk

You can also get this information in other formats, including Braille, large print, audiotape and other languages.
Please phone Nick Mayne on 01227 862 221 or e-mail nick.mayne@canterbury.gov.uk

Please recycle this leaflet when you have finished with it.
Produced by Canterbury City Council • October 2009
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  - Fax 01227 862 026
  - E-mail mail@association-of-noise-consultants.co.uk

You can also get this information in other formats, including Braille, large print, audiotape and other languages. Please phone **Nick Mayne** on 01227 862 221 or e-mail nick.mayne@canterbury.gov.uk