

WITNESS STATEMENT/DATGANIAD TYST

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2020, Rule 16)
(Deddf CT 1967, a.9; Deddf LIY 1980, au.5A(3) (a) a 5B, Rheolau Gweithdrefnau Troseddol 2020, rh.16)

Statement of Emma Aston

Age if under 18/Oed os o dan 18: Over 18 (over 18 insert 'over 18'/os yw dros 18 rhwch 'dros 18')

Occupation/Galwedigaeth: Environmental Health Officer

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have willfully stated in it anything which I know to be false or do not believe to be true. / Mae'r datganiad hwn (sy'n cynnwys 3 tudalen(nau) a phob un wedi'i llofnodi gennyf) yn wir hyd eithaf fy ngwybodaeth a'm cred ac fe'lgwnaf gan wybod, os caiff ei gyflwyno fel tystiolaeth, y gallaf gael fy erlyn os byddaf o fwriad wedi mynegi unrhyw beth y gwn sy'n anwir neu na chredaf ei fod yn wir.

Signature/ Llofnod:



Date/ Dyddiad: 24th October 2024

I am an Environmental Health Officer employed by Shared Regulatory Services which provides Environmental Health, Trading Standards and Licensing services across Cardiff, The Vale of Glamorgan and Bridgend Councils. I have been employed in this job role since 2011. I obtained a Degree in Environmental Health in 2008 and I hold a registration certificate of the Environmental Health Officers Registration Board. Part of my duties include investigation of complaints about noise nuisance and enforcement of the Environmental Protection Act 1990 and associated legislation.

I also participate in the Department's out of hours service. On 5th October 2024 at approximately 00:09, I received a telephone call from a call handler from the Customer and Community Support Unit - CCSU team who receive the calls made out of office hours on behalf of Bridgend County Borough Council regarding a complaint alleging noise nuisance due to loud music from 14-20 Nolton Street, Bridgend. The call handler gave me the contact details for the complainant who lives in the block of flats opposite 14-20 Nolton Street Bridgend. I telephoned the complainant shortly after receiving the call. As a result of the information received by me during my conversation with the complainant, I agreed to visit them.

Shortly after speaking with the complainant, I telephoned my colleague, Leah Sumner – Environmental Health Technical Officer, who was the out of hour's back-up officer for that weekend. I informed Leah that I had received a call alleging noise nuisance due to loud music from 14-20 Nolton Street Bridgend and asked her to meet me in the car park located on Brackla Street Bridgend which is behind the old Wilkinsons shop.

Leah and I arrived at the flats opposite 14-20 Nolton Street Bridgend at approximately 00:50. No music was heard in the street upon arrival. The complainant met us in the lobby of the flats and advised us that the music had stopped but alleged that it could continue as late as 3am. We stayed in the lobby for approximately 25 minutes. I could see from the first-floor lobby windows of the flats that there were lights on at the premises known as 14-20 Nolton Street Bridgend, which is the first-floor level above the shops, one of which is called The Optic Shop on Nolton Street. I could see a few people inside the premises. Following my conversation with the complainant, it appeared that the premises was closing, and no music was heard. Therefore, we left the flat lobby at approximately 01:15.

On the evening of 5th October 2024 at approximately 21:10, I received a call from a call handler regarding a complaint alleging noise nuisance due to loud music from 14-20 Nolton Street, Bridgend. The call handler gave me the details of the complainant. This was the same complainant that contacted the out of hours service on 5th October at approximately 00.09. I telephoned the complainant back shortly afterwards. Following my conversation with the complainant, I agreed to visit them. I telephoned my back up Officer –

Continuation Statement of / Parhad o Ddalganiad:

Leah Sumner, informed her of the call and asked to meet in the carpark behind the old Wilkinsons shop again.

Whilst I was walking to the flats, I noticed bass music which was coming from 14-20 Nolton Street, Bridgend. We went into the complainant's flat, which was opposite 14-20 Nolton Street at approximately 22:12. At 22:32, I was standing in the complainant's bedroom which overlooked Nolton Street, Bridgend. When I was speaking with the complainant, I noticed that the sound of people's voices in the street whilst they were approaching and standing by the entrance door to 14-20 Nolton Street, could be heard over the conversation I was having with the complainant. The noise from the people in the street was louder than the bass music that I could hear in the bedroom with the window slightly open. At 22:36, I noticed the bass music volume level increased for a short period, then decreased again. This happened intermittently throughout the duration of my visit and sounded as if a door or window had been opened then closed. I noted someone singing from inside the premises, but this was muffled, and I could not make out the lyrics. I left the flat with my colleague, Leah Sumner at approximately. 22:52.

On 19th October 2024 at approximately 22:52, I received a call from my colleague Lalia Blanka-Kumar – Environmental Health Officer, who was the on-call duty officer for the out of hours service that weekend, and I was the backup officer. Lalia informed me that she had received a call regarding loud music from the premises known as 14-20 Nolton Street Bridgend and we arranged to meet in the car park behind the old Wilkinsons shop.

At approximately 23:30, I arrived in the car park behind the old Wilkinsons Shop and met Lalia. We walked to the block of flats which are opposite 14-20 Nolton Street, Bridgend. Upon arrival, I noted that the entrance doors to 14-20 Nolton Street, Bridgend were open, there were two male security doormen standing outside and customers were talking and smoking outside the premises. I could see that the premises above The Optic Shop was full of people, lights were on, and I could hear the bass music coming from 14-20 Nolton Street, Bridgend. The information provided for the out of hours monitoring list stated that a temporary event notice (TEN) had been submitted for 1 Nolton Arcade Bridgend. The TEN for 1 Nolton Arcade had been notified to Shared Regulatory Services by Licensing and had Daniel Apsee listed as the premises user with the event dates listed as 18th October 2024 16.00-01.00 and 19th October 2024 16.00-23.59. However, it was evident on arrival at the flats opposite 14-20 Nolton Street, that there was an event taking place at the premises known as 14-20 Nolton Street.

At approximately 23:32, we entered into the lobby of the flats to meet the complainant. The complainant asked us to visit another flat in the block. We went to the flat as directed by the complainant and knocked the door. When stood outside this flat, I noted that I could clearly hear the bass music from 14-20 Nolton Street in the flat lobby. At 22:44, the bass music stopped, and I could hear shouting and loud voices from people in the street. The occupant opened the door and I explained that we had received a call alleging loud music from 14-20 Nolton Street and the complainant had asked us to visit them. We entered the flat and the same level of noise from the people in the street was clearly audible within the occupant's living room. This flat was located directly opposite 14-20 Nolton Street.

At approximately 23:48, I could hear what sounded like a live female singer. I could identify the lyrics "I will survive". I could recognise the song being sang as I will survive by Gloria Gaynor. I could clearly make out the lyrics "hey,hey" and could easily sing along to the song. This was clearly heard over the conversation I was having with the occupant.

At approximately 23:51, it sounded like a deeper voice singing, which was possibly a man. The lyrics "what's going on" could be heard. I could recognise the song being sang as "What's Up" by Four Non Blondes. The sound of the guitar playing was clearly audible. At 23:55, I could clearly hear the lyrics "hey hey". This song could be heard over the people outside standing outside the premises in the street. At 23:56, a new song started. I could clearly hear the guitar playing and it sounded like the patrons inside the premises were singing along to it. At 23:59, I closed the kitchen window and Lalia closed the living room window, as it was an open plan room. I could still hear the music, but it was not as clear. I could still hear the bass beat, guitar and the female artist singing but could not make out the words.

Continuation Statement of / Parhad o Ddalganiad:

I re-opened the window slightly as the living room was getting warm, I had to remove my jacket. The occupant advised that their central heating was not on and the flats get very warm. Due to the temperature in the flat that I experienced, it would have been reasonable to have the windows in the open position. At 00:04, I could hear the guitar playing and could hear singing but could not make out the words.

At approximately 00:10, I noticed that the volume level of the music increased and it sounded like patrons singing along to the song. However, the song itself, sounded muffled and I could not make out the song or lyrics.

00:16, I noticed that the volume level of the music had reduced, but I could still hear the guitar being played. At 00:19, I heard a male voice shouting in the street, I looked out the window at 00.21 and I could see that the entrance door to the premises was now closed.

At 00:25, I could hear the lyrics "what's in your head". I recognised the song as Zombie by the Cranberries. I could see that the entrance door was only opening when people were coming and going from the premises. At 00:27, I heard the lyrics "nah nah nah freed from desire" being sang. I could recognise this song as 'Freed from Desire' by Gala Rizzato. I left the flat with my colleague Laila, at 00.33 and the music from the premises was still ongoing when we left.

I would consider the music that I witnessed during my visit on 19th October 2024 to amount to a statutory nuisance, because the music, singer and the guitar were clearly audible within the complainant's living room.

Signature/ Llofnod



Signature witnessed by/ Tystiwyd y llofnod gan:

Work address: Bridgend County Borough Council, Angel Street, Bridgend CF31 4WB

Work telephone No: [REDACTED]

Occupation: Environmental Health Officer

Date of Birth: [REDACTED]

Dates to be avoided. Delete dates of non-availability of witness

Month of: October 2024							Month of: November 2024							Month of:						
1	2	3	4	5	6	7	1 x	2 x	3 x	4 x	5 x	6 x	7	1	2	3	4	5	6	7
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