

WITNESS STATEMENT/DATGANIAD TYST

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2015, Rule 16)
(Deddf CT 1967, a.9; Deddf LIY 1980, au.5A(3) (a) a 5B, Rheolau Gweithdrefnau Troseddol 2015, rh.16)

Statement of Laila Blanka-Kumar

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 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 6 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: 24/10/2024

My name is Laila Blanka-Kumar and I am employed as an Environmental Health Officer by the Shared Regulatory Services for Bridgend, Cardiff and the Vale of Glamorgan Councils. I have been employed in this job role since September 2019. I graduated from the Cardiff Metropolitan University in 2017 with an Honours Degree in Environmental Health and I hold a registration certificate of the Environmental Health Officers Registration Board.

In addition to my job role; I also cover shifts for the Shared Regulatory Services Out of Hours Service covering the Bridgend County Borough Council area. This involves being on call outside of office hours and calls can be received covering several areas of work covered by Shared Regulatory Services, however, they are primarily in relation to noise nuisance. This statement relates to an out of hours call received on Saturday 19th October 2024 in relation to loud music and patrons from premises known as 14 – 20 Nolton street, Bridgend, CF31 1DU.

On Saturday 19th October 2024 I was covering an out of hours shift. At 22:44 I received a call from an operator at the Customer and Community Support Unit (CCSU), advising that a complainant of the building opposite the premises 14 – 20 Nolton street, Bridgend, CF31 1DU, had called to complain that there is very loud music and noise from patrons and have requested a call back.

I subsequently contacted the complainant by telephone, who advised that the music and noise from patrons at the premises 14 – 20 Nolton street, Bridgend, CF31 1DU have been very loud since 21.00. As this case was on the list of cases that were to be visited, I advised the complainant that I would attend the property to witness the music and noise from patrons at 14 – 20 Nolton street, Bridgend, CF31 1DU.

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I called my colleague, Emma Aston, who was the backup officer on duty that weekend, to join me for the out of hours visit regarding the complaint.

I travelled to Bridgend arrived and parked my car at Wilkinson Car Park, at 23:30. During the walk down Nolton Street, I could hear music from the premises 14 – 20 Nolton street, Bridgend, CF31 1DU was clearly audible. In front of the premises 14 – 20 Nolton street, Bridgend, CF31 1DU, there were several people standing and talking loudly. I went to the complainant's property. I was advised to visit a second complainant, as their residence is directly opposite the premises 14 – 20 Nolton street, Bridgend, CF31 1DU, where I would be able to hear and see the situation more clearly.

Upon entry into the second complainant's property at 23:33, I met the occupier of the property, who showed me into the living room/kitchen at the front of the property. I stood at the living room/kitchen and noted that two windows in the rooms were slightly open, and the music, including bass, along with loud voices from people on the street were clearly loud and audible and started to take notes in my pocket notebook.

At 23:41, I could hear the music volume decreased slightly in the living room/kitchen with the windows slightly open. By 23:44, the music and bass were no longer audible.

At 23:45, I could hear the loud noise from people on the street, and the music resumed, though at a lower volume.

At 23:48, I could hear the live music began; while not very loud, it was audible, and the lyrics were from the song "I will survive".

At 23:50, I looked out of the kitchen window and could see that no one was on the street by the premises, and a second song started, with the lyrics – "ye, ye...what's going on" clearly audible. The song ended at 23:55, and people returned to the street by the premises.

At 23:56, I could hear another song begin, featuring a woman singing with a guitar – likely a song from Cher.

At 00:00, I and my colleague Emma Aston closed the windows in the living room/kitchen of the second complainant's property, and the volume of the song was reduced but still audible, though the lyrics were less clear.

At 00:07, I, along with my colleague Emma Aston reopened the windows in the living room/kitchen of the second complainant's property, and the second complainant then turned on the TV, setting the volume to 13. However, this was brief, as the second complainant's family were sleeping. As a result, I was unable to properly assess the music volume from premises 14 – 20 Nolton street, Bridgend, CF31 1DU with the TV on.

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At 00:10, I could hear that another song started, with the song of guitar being more audible than the lyrics.

At 00:16, I could hear that the music calmed down, along with the voices of people nearby.

At 00:19, I could hear that the music continued to decrease in volume. When I looked out of the residence of the second complainant's kitchen window, I could see that the door of the premises 14 – 20 Nolton street, Bridgend, CF31 1DU was closed. People outside were still talking, but the lyrics were no longer clear.

At 00:25, I could see that the doors of the premises 14 – 20 Nolton street, Bridgend, CF31 1DU remained closed, and the sound of a guitar playing was audible. Also, I could hear and see that people were shouting as they walked down the street.

At 00:27, I could hear that the music continued playing, with the lyrics "Freed from desire" being audible, and I could see that there were no people outside the premises 14 – 20 Nolton street, Bridgend, CF31 1DU door.

At 00:29, I could hear and see that people were loudly leaving the premises 14 – 20 Nolton street, Bridgend, CF31 1DU, while the music continued playing.

At 00:33, I and my colleague Emma Aston left the second complaint's property, and walked back to the Wilkinson car park could hear the music still playing from the premises 14 – 20 Nolton street, Bridgend, CF31 1DU.

When deciding whether noise would amount to a statutory nuisance, the type of noise, loudness, frequency and duration are considered. During the 60 minutes I was in the second complaint's property, I consistently heard music playing, at times, I was able to make out the lyrics of the song, along with the noise of people outside the premises 14 – 20 Nolton street, Bridgend, CF31 1DU. In my opinion, 60 minutes of clearly audible, constant music would interfere with the peaceful enjoyment of property and therefore amount to a statutory nuisance.

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