Birmingham City Council

REGULATORY SERVICES

APPLICATION FOR LOUDSPEAKER CONSENT

Date Received
Initials

This application form should be completed and returned to:

Environmental Protection Manager
Birmingham City Council
581 Tyburn Road
Erdington
Birmingham
B24 9RF

Where a Licensing Safety Advisory Group meeting is being held in relation to the application event then the applicant should take a copy of this application form to that meeting.

This application is currently free of charge. This is reviewed annually.

This application form applies to all events where a loudspeaker is to be used in the street for any purpose between the hours of 9pm and 8am. Restrictions to the use of a loudspeaker in the street are stated in Section 62 of the Control of Pollution Act 1974 as Amended by Section 7, Noise and Statutory Nuisance Act 1993 (see Appendix at page 4)

The granting of a consent will be based on the applicants ability to comply with the Code of Practice on Environmental Noise Control at Concerts.

PLEASE READ THE APPENDIX CAREFULLY BEFORE COMPLETING THIS FORM AND REMEMBER TO RETURN THE COMPLETED FORM AT LEAST 21 DAYS BEFORE THE START OFTHE EVENT

I/We apply for consent to use loudspeaker(s) in accordance with Paragraph 1 of Schedule 2 to the Noise and Statutory Nuisance Act 1993

1 Full name and address of applicant(s). **Note: In the case of a limited company please ensure all relevant details are given, including directors names, company secretary name, registered office etc. Please attach a separate sheet if necessary.**	Name: Address
2 Telephone no. of applicant/s	
3 E mail address of applicant/s	

4 Location(s) for which the consent is sought:	Location(s):

5 Give details of each date(s) for which this consent is being sought:

Note: This must include any dates on which the equipment will be tested in the locations sought

	Date and Hours of Event (24-Hour Clock)	Hours of consent required (24-Hour Clock)
1		
2		
3		

6 Details of the nature of activities at this event or events (named in Q5 above).	Activities: (1) (2) (3)
7 State the purpose for the loudspeaker(s) (e.g. incidental music, concert, announcements, demonstration)	
8 Describe in full the nature of the equipment to be used (e.g. megaphone, fixed public address system, sound system).	
9 State the number of loudspeakers proposed and their positions in the street. **Note: A plan showing the exact position(s) of the loudspeaker(s) must be attached.**	

10 Output power of loudspeakers that will be used (e.g. number of watts per channel).	
11 Proposed means of controlling noise levels and demonstrating compliance with the Code of Practice on Environmental Noise Control at Concerts, including monitoring to be undertaken **Note: The Council may need to be involved in establishing limits settings before the event.**	
12 Name, address and telephone number of responsible person for correspondence.	
13 Name and (mobile) telephone number of the person responsible for the event on the day and testing of the equipment before the event, if different from 12 above.	
14 Any other information.	

Separate sheets may be attached if necessary

Where application is made on behalf of a limited company, the secretary or director should sign. In the case of a partnership each partner should sign. If signing on behalf of the applicant please state in what capacity you are acting.

…….

……. ……..

Signature(s) of applicant(s) Date

Appendix

Control of Pollution Act 1974
as Amended by
Section 7, Noise and Statutory Nuisance Act 1993

62

(1) Subject to the provisions of this section, a loud- speaker in a street shall not be operated—

(a) between the hours of nine in the evening and eight in the following morning, for any purpose;
(b) at any other time, for purpose of advertising any entertainment, trade or business;

and any person who operates or permits the operation of a loudspeaker in contravention of this subsection shall be guilty of an offence against this Part of this Act.

In this section "street" means a highway and any other road, footway, square or court which is for the time being open to the public.

(1A) Subject to subsection (1B) of this section, the Secretary of State may by order amend the times specified in subsection (1)(a) of this section.

(1B) An order under subsection (1A) of this section shall not amend the times so as to permit the operation of a loudspeaker in a street at any time between the hours of nine in the evening and eight in the following morning.

(2) Subsection (1) of this section shall not apply to the operation of a loudspeaker—

(a) for police, fire brigade or ambulance purposes, by a water authority in the exercise of any of its functions, or by a local authority within its area
(b) for communicating with persons on a vessel for the purpose of directing the movement of that or any other vessel;
(c) if the loudspeaker forms part of a public telephone system;
(d) if the loudspeaker—

(i) is in or fixed to a vehicle, and
(ii) is operated solely for the entertainment of or for communicating with the driver or a passenger of the vehicle or, where the loudspeaker is or forms part of the horn or similar warning instrument of the vehicle, solely for giving warning to other traffic, and
(iii) is so operated as not to give reasonable cause for annoyance to persons in the vicinity;

(e) otherwise than on a highway, by persons employed in connection with a transport undertaking used by the public in a case where the loudspeaker is operated solely for making announcements to passengers or prospective passengers or to other persons so employed;
(f) by a travelling showman on land which is being used for the purposes of a pleasure fair;
(g) in case of emergency.

(3) Subsection (1)(b) of this section shall not apply to the operation of a loudspeaker between the hours of noon and seven in the evening on the same day if the loudspeaker—

(a) is fixed to a vehicle which is being used for the conveyance of a perishable commodity for human consumption; and
(b) is operated solely for informing members of the public (otherwise than by means of words) that the commodity is on sale from the vehicle; and
(c) is so operated as not to give reasonable cause for annoyance to persons in the vicinity.

(3A) Subsection (1) of this section shall not apply to the operation of a loudspeaker in accordance with a consent granted by a local authority under Schedule 2 to the Noise and Statutory Nuisance Act 1993.