



**Policy, Finance and
Development
Committee**

22 July 2014

Matter for Decision

Title: **Noise Nuisance Investigation Policy
2014-17**

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Introduction

Noise Nuisance is defined in the Environmental Protection Act 1990 and is a major part of the work of the Environmental Health Team.

The vast majority of noise complaints do not require any formal intervention by the Council but an investigation in to a noise complaint will have considerable resources implications. This Policy sets out the boundaries of any investigation and is explicit about when it is appropriate to end the investigation.

The policy also sets out how the Environmental Health team will use the new powers in the Anti-social Behaviour Crime and Policing Act 2014.

This policy is tenure neutral and as such all service requests related to nuisance will be dealt using the same processes. However the initial investigation will be carried out by Housing Officers if the complaint relates to one of this Council's tenants before it is then shared with the Corporate enforcement team.

Recommendations

The Council is requested to adopt and publish the attached Noise Nuisance Investigation Policy 2014-2017.

Information

It is difficult at times to establish a Statutory Nuisance and Officers are likely to spend hours sitting in complainant's homes, installing noise recording equipment and still not be able to witness the extent of the noise itself. For a noise to be actionable it needs to be very loud, very frequent and last for a long time. Complainants are often reluctant to accept that there is no actionable noise which leads to protracted investigations and a significant amount of Officer time and cost to the Authority.

Under this policy, Officers will visit properties on 3 separate occasions at times when they are likely to witness the noise; and/or install noise monitoring equipment for a period of two weeks. If no nuisance has been witnessed after these interventions the case will be closed and no further investigation will take place unless there is a significant change in circumstances.

The new Anti-social Behaviour Crime and Policing Act 2014 give Local Authority Powers to serve Community Protection Notices. Under this policy these Notices will only be used when noise is part of wider anti social behaviour. The service will work

with the Community Safety Partnership in such cases and the Corporate Enforcement team.

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Financial (PL)	No significant implications identified
Risk (APM)	CR4 Reputation damage CR6 Regulatory Governance
Equalities (KG)	An Equality Impact Assessment has been undertaken and appropriate mitigation measures are in place on respect of the identifiable vulnerable
Legal (KG)	The Anti-Social Behaviour Crime and Policing Act 2014 gives additional assistance to current legislative measures to deal with noise complaints.