

# Noise advice

Thank you for contacting the Noise team - we are here to help with your problems about noise nuisance. We are one of a handful of local authorities which provides its citizens with a dedicated out-of-hours noise team.

## The law

Noise law gives us powers to deal with 'statutory noise nuisance'. When we are satisfied that the noise is a 'statutory nuisance' we can take appropriate action against the noise maker,

### So what is a "statutory noise nuisance"?

Not all noise is a 'statutory nuisance'. It can only be called this if it is witnessed by one of our trained and authorised officers.

- It has to be heard by them from within your property, and
- In the officer's opinion, the noise is loud and intrusive enough to interfere with people's lives. They will have heard lots of noise of this type and are best placed to make this judgement, and
- They may have to appear in court and swear on oath to confirm this

## Noise we can deal with

Loud music, alarms, raised voices from within your neighbour's property, barking dogs, noisy DIY. (Domestic DIY outside of

reasonable hours 8am-8pm, Mon - Sat), industrial, commercial and construction sites, agricultural or business premises e.g. machinery / equipment.

### Noise we cannot deal with

Aircraft noise, traffic / vehicle noise on the street. Noise from car horns sounding. People congregating in the street, babies crying, children playing, lawnmower noise and everyday general living noise.

## What should you do?

If you are being affected by noise and you do not feel comfortable approaching the noise maker, you can call the Noise team as follows:

**Day** (Mon-Fri, 9am - 6pm) **02476 831853**

**All other times** **02476 832222**

### The safety of our officers is important...

Some noise makers are violent people - drink and drugs play a part! In many cases it is safer for our officers not to approach the noise maker at the time of the visit, we can still get the evidence we need.



# The process

■ Your action ■ Our action

**It must be remembered that noise nuisance cannot always be resolved quickly. There is a legal process we have to follow which can take time. It starts here!**

- You telephone the noise service to come and hear the noise whilst it is happening
- Our officer attends and if they witness a statutory noise nuisance for the first time you will be assigned a case officer
- Warning letter sent to the noise maker (this explains what will happen if the noise carries on)
- If the noise continues you again telephone the noise service to come and hear the noise whilst it is happening
- Our officer attends and if they witness a statutory noise nuisance for the second time. We serve a abatement notice on the noise maker (this explains that the noise must stop and that prosecution may follow)
- If the noise continues you telephone the noise service to come and hear the noise whilst it is happening
- Our officer attends and if they witness a statutory noise nuisance for the third time a final warning letter is sent to the noise maker (this explains that we will take the noise maker to court if the noise nuisance continues)

- You telephone the noise service to come and hear the noise whilst it is happening
- Our officer attends and if they witness a statutory noise nuisance for the fourth time your case officer will progress the case to the court
- Experience has shown us that we now have sufficient evidence to prosecute the noise maker
- Your case officer will prepare a prosecution file and seek permission to prosecute from elected councillors
- We take the noise maker to court

Hopefully your noise disturbance will have stopped before we get this far - 98% of cases do!

**If not, then please remember we cannot make this process any shorter - it could be a number of months. It's frustrating but we do need good evidence for court**

The City Council believes that all it's employees are entitled to be treated with respect, free from any threat or violence from members of the public, service users or others.

