

## Noise Problems? What You Should Do

- Talk to your neighbour about the problems you are experiencing.

Ask if they can hear noise from you as well, as often people do not realise the extent of the nuisance they are causing. Explain how the situation is making you feel. Do this in a calm and reasonable way –even if your neighbour is not receptive, it is important that you stay calm and do not respond to them angrily.

- If the problem persists, start an events diary.

Detail the exact time, date, nature and volume of the noise, and its duration. Record how it makes you feel, and how it affects your quality of life.

If the noise nuisance is regular, it may be sufficient to keep the diary for just 14 days but if it is more infrequent your diary may need to run for a period of 3 months.

Check your Local Authority's website under Environmental Health/Noise Team – every local authority has a different way of recording problems and the website may have a form for you to complete, or a particular way they would like this information presented.

- WRITE to your local Authority to complain about the noise, and enclose your diary of events, or email them. Keep copies of the correspondence. Telephone calls are generally not recorded so they are not usually sufficient.

If you do not receive a reply, write again....and again. Persistence is key. Local authorities are aware that noise can cause a nuisance, they are sensitive to the problems it can create, and often ready to help – but they have limited resources to investigate complaints and so if you do not keep writing to them, they may assume the problem has been resolved.

- If you know the property causing the problem is rented, contact the landlord, letting agent, housing association or local authority, again in writing. Explain that the tenant is causing noise problems, detailing the nature, volume, and duration.

## What Happens Next?

- The Local Authority should contact the noise maker and ask them to desist.

They can come and install monitoring equipment to ascertain whether or not the noise is a nuisance. If they agree that the noise is unreasonable, they can issue a noise abatement notice ordering the noise maker to stop.

In extreme cases, where the noise continues in defiance of a noise abatement notice and you continue to complain to the Local Authority in writing with a detailed diary of events, the Local Authority can attend with the police and seize the equipment causing the noise.

## Still No Joy?

- If you feel that the Local Authority have not dealt with the case satisfactorily you can escalate it further in the following ways:
  1. Write to the Chief Executive of the council
  2. Write to your local councillor and MPs
  3. Write to your Local Government Ombudsman
  4. Contact the local press – but you must be able to show that you have previously followed the correct procedure.
- Remember to copy all correspondence to your Local Authority contact(s) and get other affected residents to do the same.
- You can also at this stage request help from your council with the provision of mediation services. Such services vary widely amongst local authorities, but they may be able to help.
- You may also wish to contact Noise Direct, on 08453 313230 who offer independent, impartial, professional advice for noise sufferers wishing to further escalate their concerns. They operate a fixed rate scheme charging £39 for a 30 minute confidential interview with an experienced Environmental Health Professional.

## The Last Resort

Section 82 of the Environmental Protection Act means a private individual can take a case to court for the noise to be abated. **This leaflet** has advice on how to complain to a Magistrates court. In order to take a civil action, you need to be aware that there are cost implications and you will need to be very sure that you have a case.