

# NOISE NUISANCE

## FACT SHEET

Noise is one of the big problems of modern living. Most of us accept certain kinds of noise, but other noises irritate us. Noise can cause insomnia, interrupted work, irritability and stress. Some noise is unavoidable, but if a noise is really getting to you there may be things that you can do about it.

This fact sheet gives you information on some of the remedies available to you if you're suffering from noise nuisance.

### **Is the noise you are experiencing unreasonable?**

Your options depend on who (or what) is causing the noise, how bad it is and what, if anything, you have already tried to do about it.

The ordinary sounds of life (such as talking, children playing, doors closing, cars starting, and deliveries to shops) are usually reasonable. But playing music, shouting and using machine tools may be unreasonable, depending on the circumstances. What is reasonable often depends on the level of the noise and also the timing. Usually noise in the day is more acceptable than at night.

If you are not sure if you are being reasonable, speak to your neighbours – are they as disturbed as you by the noise?

Another question you might need to ask yourself is whether you are making noise too. If you are quite noisy, your neighbours may think that you don't mind noise. Some may even make noise to drown out your noise, or to make a point. Think carefully about your noise, and don't get drawn into a competition to make the most noise.

### **What can I do about unreasonable noise?**

#### **Speak to your neighbour**

Often the best way of resolving a problem is to politely speak to the person causing the noise, as they may not be aware they are creating a disturbance.

#### **Speak to us and to the local authority or council**

If you have already tried talking with your neighbour, or don't feel able to do so, you can report the problem to us and to the environmental health department of your local council. It's important to establish the facts – make a record of where the noise is coming from and at what time.

### **What will we do?**

If appropriate, where noise is on-going and you have not been able to resolve the problem yourself, we may arrange to visit you and also your neighbour. This is to experience the noise complained of and to agree with you and your neighbour acceptable noise levels - for example, an acceptable volume for televisions or music.

You and other residents of PCHA, Springboard and Pathmeads (which are all part of Genesis Housing Group), will have a tenancy agreement or lease that prohibits noise nuisance. If a resident is in breach of their tenancy agreement or lease, they are putting their home at risk, as we can take legal action against them for this. However, we can only do this by going to court with sufficient evidence of the noise nuisance. We will give you diary sheets for you to make a record of the noise nuisance you experience.

### **What can the council do?**

Your local council has a duty to take reasonable practical steps to investigate complaints of statutory noise nuisance. The Environmental Protection Act 1990 defines statutory noise nuisance as 'noise emitted from premises so as to be prejudicial to health or a nuisance'.

Every council has environmental health officers (EHOs) who can help if there is a noise from premises or a vehicle that is either likely to damage your health or which is a nuisance. If the noise is made between 11pm and 7am, it is called 'night noise', and noises above specific levels are prohibited.

The EHO must always investigate your complaint about noise. If the noise is continuing or repeated, the EHO will send someone to listen to the noise and may come out a number of times to assess and record the noise. Many EHOs have 24-hour services, but they may have to deal with other calls before yours. Having investigated, the EHO can then help in many different ways. Examples include the following:

- Giving you practical advice about dealing with the problem.
- Providing you with noise measuring or recording equipment.
- Persuading the person or venue to improve its record on noise or being more considerate about times. Examples

of what could be done include reduction of noise levels, building works to contain the sound better, and notices asking customers not to make noise when leaving the venue and placing limits on times when noise is made.

- Asking the person responsible for night noise to stop making the noise immediately and, if the noise hasn't stopped within ten minutes, giving an on the spot fine, or prosecuting. This method is only available if the noise is coming from a home or from licensed premises.
- Closing a noisy venue for up to 24 hours.
- Giving a noisy neighbour or venue a 'noise abatement notice', telling him/her to stop.

## Noise abatement notices

If your council finds evidence of statutory noise nuisance, the EHO investigating the case can serve a noise abatement notice on the person causing the noise.

They will do this if:

- the noisemaker cannot be persuaded to stop or reduce the noise
- the local council is satisfied that a statutory nuisance continues to exist, or is likely to occur or recur, after a seven day period following their initial investigation is over.

The notice will set out what is required of your neighbour. For instance, they may be asked to stop the noise completely, or restrict the noise to between set times. It could also require your neighbour to carry out works, and/or take other steps to stop the noise nuisance.

Failure to comply with an abatement notice without reasonable excuse is an offence. A person who commits such an offence in residential premises is liable to a fine of up to £5,000 upon summary conviction, and a further fine of up to £500 for each day on which the offence continues after the conviction. For businesses, this can be increased to £20,000.

If your neighbour does not keep to the terms of the abatement notice, the local council may itself take steps to end the nuisance and recover the costs. This includes the power to seize and remove any equipment which is being or has been responsible for the noise in question.

## Contact us

If you would like more information, please contact us:



If you are a **PCHA customer** phone us on **020 8451 8000** or email **info@pcha.org.uk** **www.pcha.org.uk**



If you are a **Springboard Housing Association customer** phone us on **020 8475 0033** or email **info@springboardha.org.uk** **www.springboardha.org.uk**



If you are a **Pathmeads customer** phone us on one of the numbers below: Temporary housing **020 8900 4900** Octavia Hill **020 8900 4998** Key Places **020 7380 9025** or email **info@pathmeads.org.uk** **www.pathmeads.org.uk**



If you are a **St Matthew Housing customer** phone us on **01284 732550** or email **info@stmatthewhousing.org** **www.stmatthewhousing.org**

Company number 3802456. Housing Corporation Number L4286. Registered Office: Capital House, 25 Chapel Street, London NW1 5DT

**If you need any part of this information in large print, Braille, on audio tape or explained in your own language please contact us on the number below.**

Si necesita esta información en Braille, en CD, en cinta o en su propio idioma, póngase en contacto con nosotros en el teléfono siguiente.

**Spanish**

إذا كنت ترغب في الحصول على أي جزء من هذه المعلومات مطبوعاً بأحرف كبيرة أو بطريقة برايل أو مسجلاً على اسطوانة مدمجة أو شريط صوتي أو مشروحاً باللغة التي تتحدثها، يرجى الاتصال بنا على الرقم الموضح أدناه.

**Arabic**

যদি আপনি এই তথ্যগুলোর যে কোন একটির সম্বন্ধে বিস্তারিত জানতে চান, অথবা আপনার নিজের ভাষাতে ব্রেল, সিডি, অডিও টেপ-এ পেতে চান তাহলে নিম্নলিখিত নম্বরে আমাদের সাথে যোগাযোগ করুন।

**Bengali**

Si vous souhaitez obtenir une partie de ces informations en Braille, sur CD, cassette audio ou expliqué dans votre langue, veuillez nous contacter au numéro indiqué ci-dessous.

**French**

જો તમારે કોઈ પણ ભાગની આ માહિતી ધ્રેઈલ, સીડી ઉપર, ઑડિયો ટેપ અથવા તમારી પોતાની ભાષામાં સમજી શકો તેની જરૂર હોય તો નીચે જણાવેલ નંબર ઉપર અમારો સંપર્ક કરો.

**Gujarati**

Se necessitar de parte desta informação em caracteres aumentados, em Braille, em CD, cassete áudio ou apresentada no seu idioma, por favor contacte-nos, através do telefone abaixo indicado.

**Portugese**

Haddaad u baahan tahay warkan afkaaga-hooyo, afka loogu talagalay dadka aan arki karaan – afka faraha ama CD-ga ama ajeladda rekorka nala xirir. Namberkan isticmaal.

**Somali**

**Telephone 020 7563 0037  
or email info@ghg.org.uk**