

- If a statutory nuisance is found to exist, an 'abatement notice' may then be served on the appropriate person to prohibit or restrict the noise.
- If following the service of a notice the noise continues, further monitoring would be carried out and you would be asked to keep further noise diaries as additional evidence of the continuing problem
- Finally if the noise continues and evidence substantiates this, the Council may take the offender to court for failing to comply with the 'abatement notice'. The Council also has powers to seize noise making equipment where it has been involved in the creation of the noise nuisance.

#### 5. Anti Social Behaviour

If the problem involves elements of Anti Social Behaviour, for example, shouting, screaming, revving and wheel-spinning vehicles in the street etc. then the Local Authority Anti Social Behaviour Team may also be able to assist you.

We would also encourage you to make contact with the Anti Social Behaviour Team directly in these instances.

#### 6. Taking your own action

Sometimes it is not possible for the Council to take action, for example, if they are unable to witness the noise - this could be where the noise is intermittent or unpredictable. In such circumstances, you can take independent action under section 82 of the Environmental Protection Act 1990 by contacting the Magistrates' Court directly.

It is advisable to seek professional advice from a solicitor before embarking on this course of action.

#### Sound Insulation:

If the problem seems to be inadequate sound insulation there are improvements that can be made to your property which may help:

"Improving Sound Insulation in Homes" from the Building Research Establishment is available at:

[www.bre.co.uk/PDF/SOUNDINS\\_HOMES.PDF](http://www.bre.co.uk/PDF/SOUNDINS_HOMES.PDF)

#### Useful Contacts:

##### **Public Protection Service**

Blaenau Gwent County Borough Council  
Municipal Offices  
Civic Centre  
Ebbw Vale  
NP23 6XB

Tel: 01495 311556  
Fax: 01495 355834

Email:  
[environmental.health@blaenau-gwent.gov.uk](mailto:environmental.health@blaenau-gwent.gov.uk)

##### **Anti-Social Behaviour Team:**

For further information or to report an incident please contact :  
Contact Centre - Telephone (01495) 311556  
Online reporting system –  
<http://www.blaenau-gwent.gov.uk/forms.asp>

##### **Victim Support Cymru:**

for independent and confidential emotional support and advice, please contact

Jayne Gough Community Champion  
01495 232894



## DEALING WITH NOISY NEIGHBOURS



## **NOISY NEIGHBOURS**

Noise from neighbours is a common source of complaints made to the Local Authority. The most frequent being noise from barking dogs, loud televisions or music, shouting, banging doors and DIY activities.

Everyone must expect some noise from their neighbours from time to time as a normal part of everyday living.

However, in some cases this noise can become excessive and unreasonable. This typically tends to occur where the noise produced is at unsociable times and/or for prolonged periods.

This leaflet attempts to provide you with a guide as to the steps that you can take to resolve your neighbour noise problem.

## **WHAT CAN YOU DO?**

### **1. Approach your neighbour**

Explain politely to your neighbour that you are being troubled by noise and the nature of the noise that is causing the problem. It may be that your neighbour is unaware that the noise is negatively affecting you and may be only too glad to take steps to remedy the issue.

In most cases this is the most effective way of dealing with such a problem and the least damaging to neighbourly relationships.

Approach the matter carefully however if you feel that your neighbour may react angrily. In these circumstances a polite note outlining the problem and inviting them to contact you at their convenience may be more appropriate.

It is encouraged that you make a note of the time and date that you approached your neighbour, their response, and to keep copies of any resulting correspondence where applicable.

### **2. Speak to the landlord of the property**

If your neighbour is renting their property it may be worth highlighting the problems that you are experiencing to the landlord of the property or his/her agent.

Landlords, whether social or private, do have powers to take action against tenants who are causing nuisance to their neighbours where they have evidence to substantiate the existence of the problem.

### **3. Mediation**

If the direct approach does not succeed, you may wish to consider mediation involving a trained independent third party. This can help towards reaching a satisfactory agreement or compromise between both parties.

If you think mediation may help the Local Authorities Environmental Health Department – Pollution Control Team can provide you with details of your nearest mediation service.

### **4. Contact the Local Authority Environmental Health Department**

If the informal approach doesn't resolve the noise problem, or you feel unable to make a direct approach to the person/s causing the noise, then you are advised to contact the Local Authorities Environmental Health Department – Pollution Control Team to make a formal noise complaint. Your details will remain confidential.

For the Council to take formal enforcement action it must first be satisfied that the noise amounts to a 'statutory nuisance'.

For noise to constitute a statutory nuisance it must be affecting you in an unreasonable and substantial way. It is more than just an 'annoyance' and much more than the mere detection of a noise.

For action to be taken, evidence (suitable for use in a court) will be required to support the case.

There are many factors to be taken into consideration when determining if a noise is a statutory nuisance. These include:

- Time of day
- Duration and frequency of the noise
- Character of the noise
- The location e.g. urban/rural
- Reasonableness of the actions
- Motive of the person creating the noise
- Level of interference in the complainants property

Please note that noise from roads and air traffic cannot be dealt with by the Environmental Health section.

In most cases the following procedure may be followed:-

- You will be asked to keep a diary noting occurrences of the noise problem
- The source of the alleged noise will be written to making them aware of the nature of the complaint and asking them to take action to prevent a recurrence
- If the diary shows a noise nuisance may exist further investigations will be carried out to gather evidence to support the allegations