

# Nottingham City Council

**Please Note:** Your Case Officer may judge that the noise you are complaining about is annoying but unlikely to be classed as a statutory (legally defined) nuisance. In these cases, the Case Officer will write to you informing you that no further action can be taken by us and enclose guidance on how to take your own legal action should you wish to do so. Alternatively, mediation may be a method to resolve the problem informally with your neighbours. We work closely with Nottingham Mediation Service who can help sort out a variety of neighbour disputes.

**For help and advice contact us on:**

**Tel No:** 0115 9156410

**Fax No:** 0115 9156020

**Minicom No:** 0115 9156626

**Email:** [pollution.control@nottinghamcity.gov.uk](mailto:pollution.control@nottinghamcity.gov.uk)

**By letter or in person:** Pollution Control Team  
Environment & Regeneration  
Nottingham City Council  
Lawrence House  
Talbot Street  
Nottingham NG1 5NT

The offices are open: Monday to Friday 8.30am - 4.50pm (except weekends & bank holidays). Outside office hours a message may be left on the Pollution Control Team's answerphone (0115 9156410). If you require this information in an alternative language, large font, Braille, audio tape or text only version, please contact us. Further information is available on our website at:

[www.nottinghamcity.gov.uk/pollution.htm](http://www.nottinghamcity.gov.uk/pollution.htm)

(v2 Sept 2007)



# Nottingham City Council

## MAKING A COMPLAINT

## ABOUT

## DOMESTIC NOISE

## Pollution Control Team

## Environment & Regeneration

# Nottingham City Council



**In many cases people resolve noise disputes informally, and a decision to take legal action is a last resort. It is very important that you do your best to resolve any problem in a friendly and positive way. We work in partnership with Nottingham Mediation Service who can help sort out neighbour disputes. They are based at 16 Vivian Avenue, Sherwood Rise Nottingham NG5 1AF and can be contacted on:**

**Telephone Number: 0115 9857744**  
**Fax: 0115 9628940**  
**Email: mediation@nacro.org.uk.**

**We strongly recommend that you consider this option.**

Below is a guide to how we investigate complaints of domestic noise nuisance such as noise from loud music or barking dogs. However, it does not cover every case or situation and your Case Officer will advise you in detail on how your complaint will be dealt with. Complaints about intruder alarms are normally investigated within 24 hours.

You may also find it useful to look at our Frequently Asked Questions sheet which is included with the observation sheet which will be sent for you to complete (see **Step 1** below).

**Step 1** - When your complaint is received an acknowledgement letter and observation sheet will be sent out to you so that you can keep a record of how often and for how long the noise is occurring. You should record observations for about 14 days and then return the observation sheet to us. It is important to keep accurate records as your observation sheet may be used as evidence in any legal action.

**Please note that if we do not hear from you within 21 days we will assume that no further action is required on our part.**

**Step 2** - When you return your observation sheet to us your Case Officer will assess it and then contact you and arrange to visit you at home to discuss the problem in more detail. Your Case Officer will give you advice on the next steps of the investigation and will leave you a second observation sheet to complete. Where the problems you are experiencing are not covered by the legislation we enforce we may suggest that you contact Nottingham Mediation Service or seek legal advice.

**Step 3** - As soon as possible after visiting you, your Case Officer will attempt to contact the person responsible for the alleged noise nuisance by either visiting them or by sending a letter to them.

**Step 4** - If the noise problems continue you should keep a record on the second observation sheet for a further 14 days and then send in the completed observation sheet to your Case Officer who will assess it.

**Step 5** - Where we consider that noise nuisance may be being caused then we will write to the person responsible again (and if we have not already done so, attempt to speak to them face to face). We will advise them of the enforcement action which will be taken should our observations confirm that a noise nuisance is being caused.

If the noise problems continue, contact your Case Officer who will then arrange for observations to be carried out from your home to collect evidence of noise nuisance occurring either during the normal office hours or outside normal office hours (nights and weekends). In some circumstances we may need to install noise monitoring equipment in your home. If the noise problems stop please contact your Case Officer and inform them.

**Step 6** - If observations by our officers from your home confirm that a statutory noise nuisance is being caused then we will serve a noise abatement notice under the provisions of Section 80 of the Environmental Protection Act 1990 on the offender usually within 3 working days. This notice legally requires the offender to stop causing the noise nuisance.

**Step 7** - We will continue to make observations from your home to ensure that the offender complies with the noise abatement notice. Any contravention of the notice that officers may witness is an offence which, on conviction, could lead to a fine of up to £5,000 for each offence.

**Step 8** - Should the offender persist in causing a noise nuisance we may apply to the Magistrates' Court for a Warrant to enter the offender's property in order to seize any equipment likely to be used to cause noise nuisance.

**Step 9** - Proceedings may also be taken against the offender in the Magistrates' Court and if found guilty, a fine of up to £5,000 per offence may be imposed by the Court. Any equipment which is seized will be kept by us until the Court decides whether it is to be permanently confiscated.