

3 FACT SHEET



Dealing with noise nuisance

This fact sheet gives you advice about what to do if you experience a problem with noise.

What is noise nuisance?

Constant noise can distress, reduce quality of life and damage good neighbourly relations. Noise nuisance comes in many forms, including loud music or TV's, DIY equipment, shouting and dogs barking. Where people live near to each other, or above and below in flats, it is likely that the noise caused by day-to-day activities will travel between homes. At times, for example when carrying out DIY or holding a party, this may cause a disturbance to neighbours. It would be unfair to take action against people in these circumstances. All residents are expected to have a degree of tolerance to reasonable noise in the same way as ensuring that the noise they make does not unreasonably disturb others.

Tenants may be breaking their tenancy conditions if the noise regularly causes a nuisance and annoyance to other people. We can work together to tackle noise nuisance depending on the seriousness of the problem and evidence that is available.

What can you do?

- The first way of dealing with it is trying to speak to the neighbour yourself. This can help solve the problem at an early stage, without involving us. Often a neighbour does not realise that their behaviour is affecting you. By pointing this out in a polite way, the situation can often be resolved amicably. Contacting us first could make your neighbour feel you have not given them the opportunity to put things right before making things official.
- Explain how the noise is disrupting you and how it is affecting you. Look for practical solutions to the problem, for example agreeing a set time when music should be turned down or a washing machine will not be used.
- If speaking to the person does not work, note down the times and dates when the noise nuisance takes place and how long it lasts. We can send you our incident diary for you to complete.
- Consider mediation with the other party as a way to try and resolve the problem amicably. Please refer to our fact sheet, 'what will mediation be like?'
- Contact your local authority, which has responsibility to investigate complaints of noise nuisance. If the noise is proved to be unreasonable they can take action under the Environmental Protection Act. Some local authorities provide help and advice outside normal office hours so that they can try and witness the level of noise disturbance.

What will we do?

- We will respond to your initial complaint within 5 working days.

What will we do? (continued)

- We treat all complaints you make in confidence and we will not take action that will reveal your identity to the other party without getting your permission first. Sometimes due to the nature of your complaint it may be obvious to the person causing the nuisance who has complained. We will discuss this when we agree an action plan with you.
- We will ask you to make a record of incidents that occur using our incident diary and return them to us within agreed timescales. This is important so that we can assess the frequency of the nuisance. If you do not return the diary within the agreed timescale we may close the case.
- We may also talk to your neighbours or people living near you to see if the noise nuisance affects them and ask them to help by completing our incident diary.
- We will keep you informed of progress and confirm in writing when the case is closed.

What action can we take?

Depending on the seriousness of the noise nuisance and evidence we have available we may:

- issue a written warning to the person causing the noise
- use our traffic light warning system
- ask all parties concerned to attend mediation
- ask for support from the local authority's Environmental Health Department.

Where the problem is serious or persistent we will consider taking legal action. In the first instance, this would normally be an application for an injunction to try and stop the noise nuisance from continuing. We will offer support and advice to any complainants, victims or witnesses attending court. We will also support other agencies, such as the local authority's Environmental Health Team in any civil or criminal action they wish to take.

Longhurst & Havelok Homes is committed to equality and diversity and recognises diversity in all areas of our work. We seek to treat people with respect and deliver services that meet individual need.

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