



Noise Nuisance Information Pack

Please read through this noise nuisance information pack which we hope will help you to resolve the problems you are experiencing. If problems persist the council has a duty to carry out a reasonable complaint on your behalf, in order to fulfil this duty you must assist the council by returning the accompanying questionnaire and diary forms enclosed.

Where problems cannot be resolved between neighbours in an amicable way, noises such as loud music, burglar alarms, persistent dog barking and the use of power tools/DIY very early in the morning or very late at night can generally be dealt with by the council. Formal action on general everyday living noise such as footsteps, banging doors, flushing toilets, talking and children playing will only be taken in exceptional circumstances.

How to proceed

Many people who have suffered noise from a neighbour have successfully resolved the matter for themselves by writing or speaking to the person who is causing the problem. Research has proven that in most cases this is the best approach because many people are unaware they are causing a problem and will take steps to reduce their noise when approached.

Approaching your neighbour

Be prepared to be clear about the nature of your problem, e.g. the cause of the noise, and how you wish for your neighbour to remedy the situation. Don't approach your neighbour when the noise is ongoing or you feel upset, instead speak to them at a time when you feel calmer.

Don't accuse your neighbours of deliberately upsetting you. Instead explain the effect their behaviour has on you. Be prepared to **listen** to their reply and try to understand their point of view. Always treat your neighbour with the same **respect** you would wish to be treated with. Try to come some sort of agreement and **compromise** with your neighbour to find a solution that works for you both.

Speaking to my neighbour hasn't worked.

If further incidents of noise occur, you **MUST** complete the noise nuisance diary and the questionnaire provided with this information pack. They are used by investigating officers to assess how your complaint can be best investigated and verified. They may be used as your evidence in a magistrate's court if formal action is taken against the alleged source. **Without your diaries/questionnaire the investigation will not continue.**

Returning Your Diary

Please return your diary and the questionnaire provided in the pack back to the council via the address provided on the diary form. The information on the log sheets will be assessed to see if there is a likelihood of a nuisance. If the investigating officer finds there is a potential for nuisance they will, in the first instance attempt to resolve the issue amicably through the use of warning letters and cautions. If informal action does not help the situation then the council shall however, where it is necessary to do so, take enforcement action.

IMPORTANT: The vast majority of cases are resolved without legal action, however, if legal action does become necessary your presence will be required in court.



Taking your own action

At any time during the investigation you can take your own action yourself through a Magistrates court using section 82 of the Environmental protection act 1990.

Information and tips about Noise

- It is not acceptable to make unreasonable noise during the day. Noise can be considered to be a nuisance at any time of the day or night.
- There is no legal time frame relating to when noise is considered a problem but there is a general understanding that noise occurring between the hours of 11pm and 7am could potentially be deemed unreasonable.
- When considering whether noise is unreasonable many factors are considered such as the time of day it happens, the volume of the noise, the frequency with which it occurs, the source/cause of the noise and the ability of the sound to be controlled.
- Noise as a result of day to day living activity such as flushing toilets, washing machines, vacuum cleaners, children playing, door and cupboards closing cannot generally be considered a nuisance. To be a nuisance noise must be causing substantial and unreasonable interference in your home on a regular basis.
- It is just as unreasonable to expect total silence in your home, a degree of tolerance is required.

Useful contact numbers

The police non-emergency number

101

St.Helens Council Safer Communities Anti-Social Behaviour Unit

01744 673114

St.Helens Council Contact Centre

01744 676789 (8am to 8pm, Monday to Friday, and 10am to 2pm on Saturday).

Email: contactcentre@sthelens.gov.uk

Helena Partnerships

One Call: 01744 63 73 83 (normal working hours 8am to 6pm).

Riverside Housing Association

0845 111 0000 (24-hour Customer Service centre)

Your Housing Group

0345 345 0272

Regenda First Housing Association

0344 736 0066