

[Central Beds Council Logo]

Noise Enforcement Protocol

Noise has been defined as sound unwanted by the recipient. The degree of annoyance is dependent upon the type, frequency, duration and time of the sound, and the recipient's attitude to it.

Noise can arise from many sources, such as:

- Neighbourhood e.g. amplified music
- Animals e.g. barking dogs
- Street e.g. ice cream van chimes
- Commercial / industrial e.g. extraction fans
- Leisure e.g. clay pigeon shooting
- Construction / demolition e.g. plant noise
- Audible intruder alarms e.g. house or car

However the following sources cannot be dealt with as actionable noise complaints:

- Road traffic
- Over flying aircraft

This Protocol broadly describes the agreed standards of service for all noise complaints. The following principles have been adopted in this Noise Enforcement Protocol as a summary of the public's reasonable expectation in dealing with noise:

- To be able to sleep at night without disturbance
- To be able to enjoy the use of one's property without unreasonable interference from noise
- Qualified professional staff available to assess the existence of statutory nuisance
- Respond out of normal office working hours where necessary to assess statutory nuisance (A statutory nuisance is something which causes a significant deterioration in the use or enjoyment of your home)

In general noise can be categorised into 3 types:

- Noise which occurs continually e.g. extraction fans at industrial premises
- Noise which, by and large, follows a regular pattern e.g. amplified music every weekend from a public house
- Noise which occurs randomly e.g. amplified music from domestic premises

Complaints to the Environment Section can be received in a number of different ways:

- In person
- By letter
- By telephone
- Via a third party e.g. councillor, MP
- Outside normal working hours via Central Bedfordshire Careline or the Police
- Electronically. Please complete our Service Request Form (Awaiting upload)

In all instances the case officer will respond to the complainant within 72 hours, except in the case of a new complaint received out of normal working hours when a response will be made the next working day when ever practicable.

The investigating officer has discretion in the manner of his / her investigation. However in general, but depending upon individual circumstances and available information, one or more of the following courses of action will be taken after an initial investigation by the case officer:

- Visits will be made at times the alleged nuisance is likely to occur
- Noise monitoring and recording equipment will be left at the complainant's home
- The complaint will be registered on the 'out of hours' list for investigation by the duty call out officer

In most instances the complainant will also be required to maintain log sheets for typically 21 days. The purpose of the log is to build up a picture which will help in establishing whether a nuisance exists and to help in the effective targeting of resources. Log sheets can also be used in evidence in legal proceedings.

The person causing the alleged nuisance will be contacted at an early stage and informed that their activities are allegedly causing a nuisance. They will be given the opportunity to change their behaviour. Following this and on subsequently establishing that noise amounting to a nuisance is occurring or likely to recur they will be served with an abatement notice.

Should the complainant specifically request that the person causing the alleged nuisance is not contacted at an early stage in the investigation, then on establishing a noise nuisance or the likely recurrence of one, and in line with the Enforcement Concordat, they would be told that any future occurrence will result in the service of an abatement notice.

Following the service of an abatement notice Environment staff are contactable 24 hours per day to respond to notification that the terms of the notice have been contravened, and will make all reasonable efforts to visit as soon as is practicable.

In general anonymous complaints will not be investigated.

Where complainants have stated that they will not give evidence in Court, should legal proceedings be necessary, then formal action will not be taken by the Council.

Complainants will be advised at the outset on how to take their own action and will be sent [the guidance notes](#) and appropriate form.

Complainants will be informed of the appropriate procedures