

## **NOISE NUISANCE PACK**

You are reading this pack because you are concerned that you are suffering a noise nuisance from a neighbouring premises.

We will investigate noise nuisance complaints but encourage people to try to resolve the matter in an appropriate informal manner before we get involved, as experience shows, that if done well, it will often lead to better and more permanent solution.

### **WHAT IS A NOISE NUISANCE?**

A noise nuisance may be something that is continuous or intermittent and can happen during the day or night but it must be unreasonable and have a substantial interference with the use or enjoyment of your home. It does not take into account inconvenience, annoyance or personal sensitivity for example a shift worker trying to sleep during the day or a noise as a result of a reasonable everyday activity such as from a baby crying, talking or occasional [dog barking](#). No house or flat is totally sound proof and we're all affected by neighbour noise from time to time.

### **HOW TO RESOLVE THE ISSUE**

Should you consider that you are suffering a nuisance here are some basic steps to try to resolve the issue.

**Talk** in a calm and polite manner to the person making the noise and clearly explain your point of view. Make some notes beforehand as to what you would like to say and test on a friend. A display of aggression or anger will make situations worse.

**Listen** to their point of view. It is as valuable as yours and may help explain their behaviour.

**Respect** the person with the same respect you would like them to show you.

**Compromise** and find areas of agreement and use them to find a solution. You may find the advice on [dog barking](#) of use.

**Do not** accuse them of deliberately upsetting you as they may just be unaware; instead explain the effect their behaviour has on you.

**Write**, whilst it's good to talk, you may be nervous of making a direct approach but do not suffer in silence, instead try a polite letter or email. Make sure to explain what the issue is and how it is affecting you. Include your contact details so the person can discuss the matter with you. As a starting point a sample letter has been provided.

**Keep records** of all conversations you have or correspondence you send or receive.

**Sample letter:**

*(Date)*

*(Your name and contact details)*

Dear Neighbour, (use *name if known*)

I am writing to let you know that noise from your property is affecting me.

The noise that affects me is from ..... *(describe the noise and when it occurs)*.

It affects me because ..... *(describe what effect it has and how it makes you feel)*.

You may not be aware of this before but I would appreciate it if you could take measures to reduce the noise such as..... *(describe any simple measures which you believe may help)*.

Thank you

Yours sincerely

*(Signature)*

## **MEDIATION**

If you are worried about contacting your neighbour consider using a mediation service. Arch Resolution is a local community mediation service who will first arrange to speak to you so you can talk through the issues. Everything is kept confidential. The mediators will also meet the other people involved and do the same with them.

The mediators will then discuss with you what to do next. This could be more individual meetings or perhaps a joint meeting. If it is a joint meeting, the mediators are there to make sure everyone behaves fairly and gets a chance to speak.

For more information go to their website or contact them on 01423 546227

## **TAKING YOUR OWN LEGAL ACTION**

If your actions have not led to an improvement and the nuisance is continuing you may take your own legal action in the Magistrates' Court, which is independent of any action that may be available to the Council. We advise you to seek your own legal advice from the citizen advice bureau or a solicitor before taking such an approach.

## **CONTACTING THE COUNCIL**

If your attempts to resolve the matter have been unsuccessful and you want the Council to investigate your noise nuisance complaint then we need you to carry out a period of monitoring using our nuisance monitoring form.

## **GUIDANCE ON COMPLETING YOUR NUISANCE MONITORING FORM**

The form is an essential part of your nuisance complaint and an investigation will not progress without it. Complete all sections accurately and do not exaggerate, as this will not help your case. Return forms after a minimum of 14 days of monitoring.

### **DAY, DATE AND TIMES**

Enter the day; date and times you suffered the nuisance and use the 24-hour clock. If the nuisance is occurring when you arrive at your premises or continuing when you leave, then record these times and do not use "unknown".

### **CONTINUOUS / INTERMITTENT**

Do not use terms such as "every day" or "all day". If intermittent give an indication of how many times over a given length of time.

### **TYPE OF NUISANCE**

At the time of each nuisance event record what is occurring and provide a description of its effect upon you at your home.

### **EFFECT OF NUISANCE**

Record any actions you took to minimise the effect of the nuisance and where you were when you suffered the nuisance.

### **SIGN AND DATE**

You must sign and date the form to confirm that the information provided is a true and accurate record and that you give permission for the form to be used as part of any legal proceedings and that you are prepared to give evidence in a Court of Law.

### **RETURN**

Return the form signed and dated to Environmental Protection. An officer will review the evidence you have provided and contact you to discuss your complaint.

Environmental Protection  
Safer Communities  
Harrogate Borough Council  
PO Box 787  
HG1 9RW

 [ep@harrogate.gov.uk](mailto:ep@harrogate.gov.uk)

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Noise Nuisance Source Address				Complainants Name and Address				Officer
								EP
Day and Date	Time you suffered the nuisance		Continuous or Intermittent	Nuisance Scale				Describe Nuisance Record what you are experiencing and the nature of the nuisance. Describe its effect upon you, any actions you took to minimise the effect on you and where you were when you suffered the nuisance.
	Start	Stop		Low 1	2	3	High 4	
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								

Day and Date	Time you suffered the nuisance		Continuous or Intermittent	Nuisance Scale Low: Noticeable and minor disturbance. High: Very noisy and major disturbance.				Describe the noise nuisance Record what you are experiencing and the nature of the nuisance. Describe its effect upon you, any actions you took to minimise the effect on you and where you were when you suffered the nuisance.
	Start	Stop		Low 1	2	3	High 4	
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
23								
24								
25								

I confirm the information I have provided above is a true and accurate record and that it can be used as part of any future Council proceedings and I am prepared to give evidence in a Court of law.

Signature: \_\_\_\_\_ Full Name: \_\_\_\_\_ Date: \_\_\_\_\_ Sheet 2 of 2