**Noise**

**Types of Noise**

Where your complaint is handled will depend on whether the noise is a statutory nuisance or non-statutory nuisance. Examples include:

* Loud music or TV
* Persistent screaming and shouting
* DIY at unsociable hours
* Dog barking
* Cars revving

**Useful Information**

Statutory noise nuisance is defined as a “material interference with the comfort and enjoyment of another’s home”. In practice it would need to be excessive and unreasonable however there is no fixed noise level, time of day, frequency or duration defined in law.

The police will usually deal with noise complaints where they relate to crime and disorder and have Dispersal powers to move people on.

Non-statutory noise complaints can be reported to the Neighbourhood Impact team who can investigate using witness evidence and noise monitoring equipment.

You would usually be advised to approach your neighbour directly in the first instance and we can assist by referring you to our independent mediation service. Please refer to our webpage about ‘Being a Good Neighbour’.

Private action – under section 82 of the Environmental Protection Act 1990, any person may make a complaint directly to the Magistrates’ Court on the grounds that they are aggrieved by a nuisance and apply for an injunction or damages in respect of nuisance.

**Please note that sound transfers differently depending on the type of property you live in and we do not accept complaints about household appliances e.g. hoovering, washing machine.**

**What can we do?**

We will investigate your complaint. Noise is relatively easy in terms of anti-social behaviour as evidence of the noise is required in every case.

Ways of collecting evidence can include: witnesses completing incident reports, Landlord and/or agencies witnessing nuisance when in the area, noise monitoring equipment, CCTV/mobile phone footage obtained locally, recording sound on the Noise App (downloadable from Google Play Store).

A number of actions are available for non-statutory nuisance including Good Neighbour Agreements, Community Protection Notices, Fixed Penalty Notices, Notice of Seeking Possession, Injunction or possession of the property in extreme cases.

**Please note we do not deal with one-off noise issues (i.e. New Years Eve parties). The noise nuisance would need to be persistent.**

For cases of statutory nuisance, an Environmental Health Officer can assess this and has alternative powers including Noise Abatement Notices, Noise Abatement Orders and warrants to seize the source of the noise such as radios or music systems.

Incidents of noise nuisance can be reported to Tamworth Borough Council at [www.tamworth.gov.uk](http://www.tamworth.gov.uk) by following this link –

<https://mytamworth.tamworth.gov.uk/do-it-online/report-it/anti-social-behaviour-incident/>