

In an Emergency...

During office hours emergency complaints will be received as usual but the case will be passed to the first available case officer. Outside of normal office hours any calls to the Council will be referred to our out of hours service and if requiring immediate action, will be referred to a duty officer.

The out of hours officer will normally telephone the complainant within 30 minutes to get more detail and to give guidance on what action may be taken. If necessary, the officer will normally visit within one hour to investigate the complaint.

If satisfied that a statutory nuisance is occurring, the officer will serve a notice under section 80 Environmental Protection Act 1990 on the person responsible, or the owner/occupier to prevent a recurrence of the nuisance.

In certain circumstances the Council will not be able to provide a service. For example: if the Police advise that to take immediate action would expose the out-of-hours officer to danger. In such cases action will not be taken at the time so the noise nuisance is likely to continue. The complainant will be informed and a notice may be served at a later stage.

Please note:

Hart District Council will not investigate complaints which are made anonymously. All complaints will be dealt with in confidence, however the complainant may be asked to assist the Council if the matter of concern to them goes to court.

We try to resolve all noise complaints as quickly and effectively as possible. The Council will keep the complainant updated with any developments in their case as they arise.



Hart District Council ENVIRONMENTAL HEALTH



NOISE COMPLAINTS POLICY GUIDELINES

Introduction

This leaflet contains advice about our noise complaint policy.

The main aim of this leaflet is to inform you how the Environmental Health Service will deal with your noise complaint and our commitment to keeping you informed as your case progresses.

Making a complaint

If you are annoyed by noise within the area of Hart District Council you can make a complaint by:

Online by visiting www.hart.gov.uk/environmental-health-reporting-form

Emailing us via eh@hart.gov.uk

Calling us on **01252 774421**

Visiting the Council offices between:
8:30am - 5:00pm Monday to Thursday and
8:30am - 4:30pm Friday.

Writing to Environmental Health, Civic Offices, Harlington Way, Fleet, Hampshire, GU51 4AE.

The Next Step

Once you have submitted a complaint it will be recorded and passed onto a case officer.

The officer assigned to your case will contact you, usually within 3 working days, normally by telephone. They will advise you that:

- The person you believe is causing the noise (the alleged perpetrator) will be contacted and informed of the complaint, normally by letter.
- The officer will issue you with incident record forms, so that you can keep a diary of when and how you are affected by the noise. You will be asked to keep the diary for about two weeks, which when completed should be returned to your case officer as soon as possible.
- Your name and address will not be disclosed, however, if the case goes to court the Council may need you as a witness.

Once you have returned the incident record forms the case officer will decide whether further investigation is required on the grounds of statutory nuisance. If a decision is made to investigate further then the officer

will visit or may install noise recording equipment. This equipment allows the officer to listen to the noise as heard by you.

Once the audio files have been assessed officers will try to visit up to three times to witness the noise in person, to confirm the audio recordings are a true reflection of the nuisance occurring.

If after completing the steps outlined above, the council is unable to take any legal action, the officer will give you advice on further action that you can take privately.

Legal Action

If the officer is satisfied that a statutory noise nuisance exists, or is likely to happen again, they will serve a notice on the perpetrator under the Environmental Protection Act 1990. This notice will require them to stop the noise nuisance.

If it is reported that notice is not being obeyed then a further investigation will be undertaken by the case officer. If the case officer is satisfied that the notice is not being followed they will seek authority from the Head of Regulatory Services to take legal proceedings against the perpetrator.