

# NOISE NUISANCE INFORMATION PACK



## Thank you for contacting us

**Please read through this noise nuisance information pack which we hope will help you to resolve the problems you are experiencing.**

Many people who have suffered with noisy neighbours have successfully resolved the matter for themselves by following our simple guidance and by writing to or speaking to the person causing the problems.

Neighbours cannot be expected to live in silence.

It is important therefore to recognise that some everyday noises are inevitable and consider whether noise problems are a result of thoughtless rather than unreasonable behaviour.

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 be deemed unreasonable.

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 us. 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.



## House alarms

The Council receives hundreds of complaints about house alarms sounding every year, including faulty alarms and over sensitive alarms which can cause serious disturbance to your neighbours.

Intruder alarms should automatically cut off after 20 minutes.

If your house alarm develops a fault and sounds continually or

frequently the Council will attempt to contact you or a named key holder, as we are required by law to take action to silence the alarm.

The Council has the authority to enter your property to silence it.

The cost of the Council doing this is charged to the homeowner, which can mean a bill of hundreds of pounds.

If you haven't already done so, anyone with an alarm is urged to contact the Council to provide us with your contact details and those of any nominated key holders to help you avoid what could be a costly problem.

A key holder form can be found on the anti-social behaviour pages of our website [www.leeds.gov.uk](http://www.leeds.gov.uk)



**Safer Leeds**  
tackling drugs and crime



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## What Can You Do?

### First Steps

Many people who have suffered noise from a neighbour have successfully resolved the matter for themselves by writing or speaking to the person causing the problems.

Research has proved 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.

If you feel unable to approach your neighbour **OR** if you can't agree with them and noise problems continue, then you **MUST** complete the noise nuisance diary which is enclosed in the noise information pack and return it to us so that we can assess your complaint.

## How to Approach Your Neighbour

### Be Prepared.

Be clear about the nature of the problem, for example the cause of the noise, when did it happen, is it a "one off" and why you feel it is unreasonable. Think about how it affects you. Does it disturb your sleep or prevent you hearing your TV? Think about what you want your neighbour to do.

### Making the first move.

Don't approach them when the noise is ongoing and you are angry. Instead try to speak to them when you feel calmer and arrange a time and place where you and your neighbours can discuss the matter properly.

### Be prepared to listen to them.

It is important to try to understand them even if you do not agree with them so that lasting solutions can be found.

### When you have an answer.

Make sure you know who is meant to do what by when. It may be useful to

write this down and for each party to keep a copy. Set a date to check whether it is working. Agree how you will let each other know if there are problems in future

### Remember stay calm

The best results are achieved if you remain calm throughout your discussion.

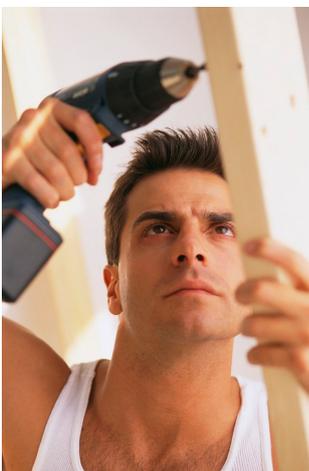
**DO NOT** accuse your neighbours of deliberately upsetting you. Instead explain the effect their behaviour has on you.

**LISTEN:** Be prepared to listen to their reply and try to understand their point of view.

**RESPECT:** Always treat the other person with the same respect that you would like them to show you.

**COMPROMISE:** Find areas of agreement and use them as a basis to find a workable solution.

## Sample Letter



Date

Your name and address

Dear neighbour,

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

The noise that affects me/us is..... (describe noise and when it occurs).

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

You may not have been aware of this before but I would appreciate it if you could.....

Thank You

Yours sincerely

Sign (House no.) (Keep a copy)

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## Speaking to my neighbour hasn't worked. What next?

If further incidents of noise occur, you **MUST** complete the noise nuisance diary provided with this information pack. Remember to record the date, time, duration and cause of the noise affecting you on the enclosed diary sheet.

The diary sheets form an essential part of the investigation. They are used by investigating officers to assess how your complaint can be best investigated and verified. They are used as your evidence in court when formal action is taken against the noise maker. Therefore the information needs to be accurate and truthful.

If noise occurs every day diaries can be returned weekly. If the noise only

occurs once a week then we may require you to return a diary once every three weeks. This allows the investigating officer to recognise patterns in the noisemakers behaviour.

Diaries will need to be kept throughout the investigation so that we can check whether our intervention has been effective and also so we can show the court that an issue has been persistent

Without your diaries the investigation will not continue. **If you or your family are unable to keep these diaries for any reason you need to let us know as soon as possible so that alternative arrangements can be made.**



Noise monitoring equipment may need to be installed in your home to assess the problem. The equipment will only be installed when evidence can not be gained by other means. Legally we must inform the noise maker that this may be occurring.

## Returning your diary

Please return your diary to the address provided on the enclosed nuisance diary.

Leeds Arms Length Management Organisation's (ALMO's) (Council Housing Offices) and Leeds Anti Social Behaviour Team (LASBT) have a duty to investigate noise and have numerous tools available to assist in the resolution of the complaint.

Your complaint will be investigated in accordance with current service standards and you will be kept up to date with your case as it progresses. An officer will discuss the case with you, your neighbours and the alleged perpetrator.

We will in the first instance attempt to resolve the issue amicably, for

example, through the use of mediation, warning letters and cautions.

We will also try to determine whether the noise is a statutory nuisance. Leeds ALMO's and LASBT will however, where it is necessary to do so, take enforcement action. Dependant on tenure this could include seizing noise-making equipment, injunctions, Anti-Social Behaviour Orders and tenancy action.

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



## Out of Hours

Out of Hours (OOH) noise should only be reported when the noise is occurring and NOT used when the noise incident has stopped.

Subject to the demands on the service at the time, we will endeavour to send a mobile Safer Leeds Officer to the noise source and ask for the noise to be reduced to an acceptable level. Please bear in mind they will not be

able to attend every complaint during busy times such as the weekend.

The OOH service can be contacted on **0113 395 0143** from 6pm - 8am Monday to Friday and all day Saturday, Sunday and Bank Holidays.

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## 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.
- Noise which occurs between 11pm and 8am can cause sleep disruption, therefore extra consideration should be shown during this noise sensitive period.
- 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 unreasonable to expect total silence in your home, a degree of tolerance is required.
- Laminate flooring (particularly in flats) can cause increased noise. Hard surfaces cause noise. To help reduce noise caused by hard flooring consider putting down rugs and fitting felt/rubber pads to movable furniture.
- Noise resulting from ill fitting doors can be improved by sanding sticking areas down, or by using draught insulation tape in the door frame to stop impact noises.
- Try to avoid installing televisions and speakers and other noisy household equipment directly against party walls, or floors and ceilings in flats. Placing speakers on sound absorbent rubber or carpet may help.
- Avoid using washing machines, dryers, vacuum cleaners and other noisy equipment late at night.
- Use headphones if you like your music/television to be loud.
- Avoid doing DIY or using noisy gardening equipment before 8am or late at night.
- If you are going to have a party inform your neighbours (bear in mind it is unreasonable to cause regular sleep disturbance). Keeping doors and windows closed will help to contain the noise. You should ask your guests to be quiet if smoking outside the property particularly as it gets late.
- When practicing noisy musical instruments, negotiate a regular slot for practice with your immediate neighbours and stick to it. Use headphones/mutes/practice pads. Organise proper rehearsal space in a non residential area.

## Useful Contact Numbers

Leeds ASB Team	<b>0113 222 4402</b>	Noise from business premises	<b>0113 222 4406</b>
Aire Valley Homes	<b>0800 915 6660</b>	Victim Support	<b>0300 303 1971</b>
Belle Isle TMO	<b>0113 214 1833</b>	Out of Hours	<b>0113 395 0143</b>
East North East Homes	<b>0800 915 1600</b>	West Yorkshire Police Non Emergency	<b>101</b>
West North West Homes	<b>0800 915 1113</b>	West Yorkshire Police Emergency	<b>999</b>