

Derbyshire Dales District Council recognises that the public has a right to expect uniformity of approach to problems of noise and the advice given in this leaflet is intended as a standard response to complaints. However, the District Council also recognises that there is a difference between complaints of intermittent “neighbour” noise nuisances and those arising from other sources and therefore this procedure may not be appropriate in all cases.

For the purposes of this statement it is suggested that the public has a right to certain reasonable expectations with regard to noise, and these are:

- To be able to sleep at night;
- Protection from loss of amenity due to noise and vibration;
- The availability of qualified professional staff to assess the existence of nuisance;
- Monitoring outside normal office working hours when necessary to assess nuisance;
- Not to hear someone else’s unreasonable noise in their own home on a regular basis.

In order to achieve these expectations the Environmental Health Section has adopted the following standard investigative procedures:

1. New complainants will normally be advised to discuss their complaint with their neighbours, if they have not already done so.
2. Complainants will normally be expected to give full name and address details. Due to the legal nature of noise nuisance it is not possible to investigate without knowing who is affected.
3. On receipt of a complaint a letter will be sent to the person causing the noise informing him/her that a complaint has been received and that monitoring will be undertaken. At the same time a letter will be sent to the complainant asking him/her to keep a log of noisy incidents.
4. Once the log sheet is returned a full investigation will be started. This will consist of up to 3 separate visits at times when the noise is likely to occur. Each visit will be of sufficient length to assess the validity of the case. When appropriate this may include visits outside normal office working hours or the use of remote monitoring equipment.
5. Once the visits have been completed a judgement will be made as to whether the noise amounts to a statutory nuisance and if so what the correct course of action should be. Options available at this stage include negotiation, written warning, abatement notice, seizure of equipment and prosecution.

Whilst this procedure will be followed in the majority of cases the District Council reserves the right to vary its actions where appropriate. For example, if a noise source is constant rather than intermittent it might be possible to make an assessment of nuisance with only one visit.

In all cases the District Council will attempt to resolve the complaint as quickly as possible but complainants should be aware that complicated complaints might require a considerable amount of investigation. For this reason a timescale for the completion of complaints is not specified. However, complainants can expect that any delays will be advised to them promptly.

For further information about this Policy Statement please contact:

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