

Council action against neighbour nuisance

If the problem persists, you should contact Environmental Health. Under Section 80 of the Environmental Protection Act 1990, the Council must take "all reasonable steps" to investigate your complaint.

Writing

Initially, we will write to the person causing the nuisance saying that a complaint has been made, asking them to take any steps that may be necessary to reduce noise. At the same time we will write to you enclosing a record sheet for you to log any further occurrences of noise.

If the noise continues the record sheet should be returned to Environmental Health who will then make arrangements with you to visit when the noise is occurring. Environmental Health operates an out-of-hours service and details of how to contact this service, when the noise is occurring, will be given to you.

On visiting

If, on visiting, evidence that a statutory nuisance is occurring or likely to occur or recur then Environmental Health can serve what is called a noise abatement notice. A statutory nuisance is defined in the EPA as - "noise emitted from premises so as to be prejudicial to health or a nuisance."

There is no set level at which noise becomes a statutory nuisance and an assessment will take into account a number of factors including, the locality, the time of day or night, and the frequency and duration of the noise complained of.

A noise abatement notice is usually served on the person causing the nuisance and it will prohibit that person from causing any further noise nuisance. Failure to comply with a noise abatement notice can lead to a person being prosecuted and the noise producing equipment, e.g. stereo system, being seized.

What if it does not represent a statutory nuisance?

However in some cases an officer from Environmental Health may be sympathetic to the effect the noise is having on you, but unable to say it would represent a statutory nuisance to the "average" person.

In such instances, an attempt will be made to resolve your complaint informally, or you will be advised to seek help from Oxford Community Mediation or recommended to take your own action.

To find out more contact:

Mediation Oxfordshire

Phone: 01865 742439

Environmental Health Service (for noise complaints)

Phone: 01865 249811

Email: noise@oxford.gov.uk