

Factsheet 30: Environmental Protection



Noise Nuisance

We can use powers under the Environmental Protection Act 1990 to stop or reduce a problem if we are satisfied that a noise nuisance occurs. Often the noise is difficult to witness and this is recognised in law. This is why you have legal powers very similar to those of the Council when it comes to taking a case to Court (for more information see our fact sheet 'How to take your own legal action to deal with a noise nuisance').

What action can we take?

If after speaking to your neighbour (see fact sheet 'Discussing the disturbance with your neighbour' – Factsheet 28) you are unable to resolve the problem, then there are things we can do. However, you need to be aware that immediate solutions to the problems of noise are very rarely available, and things may take some time.

If you contact us about a noise nuisance then before we investigate we will send you a nuisance diary sheet. This is something we will need you to fill in to provide evidence of when the noise is occurring.

After sending us your completed nuisance diary sheet we will decide whether there is a case to investigate. If we think there is, we will write to yourself giving you contact details to ring both during office hours and outside normal working hours. We will visit and attempt to witness a noise nuisance or alternatively we will install monitoring equipment in your premises.

We will also write to the person causing the disturbance asking that they reduce the noise. Sometimes the noise can stop when the person gets a letter from the Council, but if not, we would attempt to witness the nuisance.

If after witnessing the noise we are satisfied that a nuisance is occurring, we will serve an Abatement Notice on the person(s) causing the noise nuisance. This requests the person(s) to abate the nuisance. Failure to comply with the Notice will normally result in us obtaining a warrant and seizing music equipment from the premises and/or prosecution.

What if we don't witness a problem?

If we do not witness the noise then we will advise you on how to take your own legal action if you wish.

Contacting us

If you would like more information you can contact us by:

Writing to: Environmental Health Department, Town Hall, Lancaster Road,
Preston PR1 2RL

Phoning: 01772 906907

Emailing: info@preston.gov.uk