



REVIEW OF OUT OF HOURS NOISE SERVICE

To:

Councillor Rosy Moore, Executive Councillor for Climate Change, Environment & City Centre

Environment and Community Scrutiny Committee

27th January 2022

Report by:

Claire Adelizzi, Team Manager – Environmental Health (Residential)

Tel: 01223 457724 Email: claire.adelizzi@cambridge.gov.uk

Wards affected:

All

Key Decision

1. Executive Summary

- 1.1 The Council has a legal duty to investigate statutory nuisance within its area under the Environmental Protection Act 1990. However, the law does not specify how to exercise this duty, it is therefore the responsibility of each Local Authority to establish its own procedures for investigating complaints of noise that may amount to statutory nuisance.
- 1.2 The Council's Out of Hours Noise Service operated for the last 25 years, which, until October 2019, operated 7pm – 7am Monday – Friday; and 9am – 5pm, and 7pm – 7am, respectively on weekends and Bank Holidays. This approach required significant staffing levels

and tied up staff time in reactive, rather than targeted pro-active service work.

- 1.3 The primary purpose of the previous Out of Hours Noise Service was to allow residents to log initial noise complaints and for officers to contact complainants to gather information and evidence to determine the existence of a statutory noise nuisance. Referrals would then be made to the daytime team to take appropriate enforcement action in relation to applicable cases of ongoing noise disturbance persistently detrimentally affecting the quiet enjoyment of someone's home.
- 1.4 Following a review of Council Out of Hours services, including noise, combined with a difficulty recruiting to Out of Hours Noise Service posts, and the availability of new 'self-help' evidence gathering technologies and equipment, the Council committed to trial a new Out of Hours Noise Service approach.
- 1.5 This trial moved away from residents having access to officers to discuss their complaint and / or request a visit out of hours, to all noise complaints being passed to daytime officers within Environmental Health to discuss their complaint and / or arrange a proactive, pre-arranged visit(s). The trial adopted a proactive planned approach, supported by evidence gathering technologies and equipment, for witnessing of noise disturbances out of hours. This new approach enabled complaints to be triaged more effectively and for staff resources to be deployed in a more efficient way.
- 1.6 The trial of this new approach has been evaluated and the results fully support its adoption on a permanent basis, in place of the previous reactive and inefficient Out of Hours Service model.

2. Recommendations

The Executive Councillor is recommended to:

- 1) Note the results of the pro-active and planned Out of Hours Noise Service trial; and
- 2) Based on the trial evaluation results, to approve the adoption of the pro-active and planned Service approach on a permanent

basis, supported use of evidence gathering technologies and equipment, in place of the reactive and inefficient Service model.

3. Background

- 3.1 Until October 2019, the Council's Out of Hours Noise Service operated for 25 years on a reactive basis as follows: 7pm – 7am Monday – Friday; and 9am – 5pm, and 7pm – 7am, respectively on weekends and Bank Holidays.
- 3.2 There were formerly 1.5 FTE Noise Pollution Officers working on a shift rotation as well as volunteer enforcement officers from Environmental Health who covered certain shifts as necessary on a stand-by and call out payment arrangement.
- 3.3 In October 2019, owing to staff vacancies within the service and the commencement of a wider corporate review of the Councils out of hours services, the operation of the staffed Out of Hours Noise Service was reduced to 7pm – 7am, Thursday – Sunday; and 9am – 5pm on Saturday and Sunday daytimes. Then, in November 2020, owing to continuing staff resource challenges the service was reduced even further to 7pm – 7am Friday – Sunday; and 9am – 5pm on Saturday and Sunday daytimes.
- 3.4 In November 2020, during this period of reduced staffed Out of Hours Noise Service availability, the Council adopted the use of 'The Noise App' offered by RH Environmental. The Noise App* was used in conjunction with existing noise monitoring equipment and the staffed reactive Out of House Noise Service, (for those customers unable to use 'The Noise App', the service has continued to offer paper diary sheets to record noise disturbance incidence).

*The Noise App' is a digital tool used for investigating complaints about noise and anti-social behaviour, making it easier to triage such customer complaints and efficiently determine appropriate response and resolution.

- 3.5 'The Noise App' has allowed officers to triage noise complaints and prioritise those where noise disturbance may amount to a statutory nuisance for which further investigation by the Council is necessary by law. 'The Noise App' also acts as an important supplementary evidence source to any investigation. It is also worth noting that 'The Noise App' has proven an invaluable business continuity service facility during the pandemic when the Council had to temporarily change working practices and minimise staff visits into homes and businesses within the City on health and safety grounds, limiting them to emergency scenarios only.
- 3.6 Following the introduction and promotion of 'The Noise App', the service has received a notable reduction in the number of Out of Hours Noise reports made to the Council. Table 1 below indicates the number of out of hours calls received in comparison to previous years, prior to the App's adoption. It is important to note that these reports may include multiple reports of noise made to the Council relating to any one ongoing noise complaint investigation, as well as any one-off calls to the service, e.g. notification of house/ car alarms sounding.

Table 1: Total annual number of out of hours noise reports to the Council

Year	Total no. out of hours noise reports received
2018/19	1398
2019/20	1222
2020/21	775

- 3.7 In autumn 2021, owing to continuing staff vacancies in the service and the effective performance of the 'The Noise App' and noise recording equipment, the Council agreed to trial offering only a proactive planned Out of House Noise Service approach, supported by these evidence gathering technologies and equipment. The agreed trial period was between 1st October and 31st December 2021, with the results and

outcome being reported back to the Environment and Community Scrutiny Committee.

- 3.8 This trial period involved a move away from the previous offering of customers being able to contact the service out of hours to report an initial noise complaint and request a reactive noise witnessing visit from a Noise Pollution Officer and moved to the introduction of a revised triaging system for ongoing noise complaints. This revised arrangement includes:
- i) Consideration of reported noise disturbance from recordings that customers have securely submitted to the Council for assessment via 'The Noise App' by daytime enforcement officers within Environmental Health. These recordings may relate to noise disturbance adversely affecting residents of the City at any time of the day or night.
 - ii) Any subsequent noise witnessing to establish nuisance in relation to an on-going, persistent noise complaint being addressed via use of the Council's noise recording equipment installed into customers / complainants' homes, as well as via proactive pre-arranged visits to complainants' properties at a time of day when previous evidence gathered has established that they are likely to be being adversely affected by noise. Such proactive pre-arranged visits ensure that the existence of a statutory nuisance may be witnessed more efficiently at an earlier opportunity in the investigation process.
- 3.9 The trial did not require us to fill the 1.5 FTE vacancies from the Out of Hours Noise Service, the trial was staffed within existing daytime resource within Environmental Health. Any planned visits out of hours were funded through overtime.
- 3.10 It is important to note that, prior to the start of this trial, the Council's ['Pollution, noise & nuisance'](#) web pages were updated to reflect the trial service changes; and the following internal and external stakeholders briefed on the changes, including City Homes Housing Officers, the Anti-Social Behaviour Team and Cambridgeshire Police.
- 3.11 It is also important to note that, as part of the trial service, customers still had the ability to log reports of noise out of hours via the Council's

out of hours call handling service, which is provided as part of the Council's Shared CCTV Service with Huntingdonshire District Council. This ensures that any complaints such as those of alarms sounding can be logged at the time and reacted to the next working day to ensure that such one-off disturbances that may amount to a statutory nuisance are satisfactorily abated.

3.12 Table 2 below gives a comparison of the total number of noise reports received by the Council from customers outside of office hours via CCTV during the trial period (1st October and 31st December 2021) and in each of the three preceding years.

3.13 Table 2 below also provides confirmation of the actual number of staff attendance visits that were carried out reactively in respect of the noise reports received.

Table 2: Total number of out of hours noise reports to the Council between 1st October and 31st December 2018 – 2021:

Year	Noise reports received out of hours (1st October – 31st December period)	No. of staff attendances out of hours in relation to these noise reports
2018	324	51
2019	249	45
2020	102	32
2021	10	1

3.14 These numbers clearly indicate that the revised noise investigation procedure followed by daytime team investigating officers during this trial period have been effective, in terms of the use of other technologies and equipment to gather evidence of noise disturbance, without the need for customers to request a reactive visit to witness noise disturbance outside of office hours. The information within paragraph 3.17 of this report confirms that where there would have been a larger number of out of hours noise reports to the reactive Out of Hours Noise Service in 2021, these have become several noise recordings securely submitted by those customers who have actioned the Council's recommendation to engage with 'The Noise App' to record

incidents of ongoing noise disturbance adversely affecting them which daytime Investigating Officers then work to assess.

- 3.15 Table 3 below further reinforces the above findings by giving a comparison of how many noise complaints have been received by the Council during office hours over the trial period (1st October and 31st December 2021) and in each of three preceding years.

Table 3: Total number of noise complaints to the Council between 1st October and 31st December 2018 – 2021:

Year	Daytime noise complaints received (1st October – 31st December period)
2018	91
2019	103
2020	144
2021	120

These numbers clearly indicate that customers are still approaching the Council to make their noise complaint during daytime hours, with total numbers of daytime noise complaints received by the Council remaining broadly the same as in the three preceding years. Between 46% and 56% of these noise complaint figures during the trial period each year related to noise disturbance to customers from various sources out of hours.

- 3.16 Of the 120 noise complaints received during the trial, 21 were repeat complaints already under investigation prior to its start date (1st October 2021).
- 3.17 Of the new complaints received during the trial period, 27 have engaged with the 'The Noise App' facility to date. These customers were provided with details of how to upload the App and use it to capture the noise disturbing them (that may amount to a statutory nuisance) and then forward their recordings safely and securely to the Council. 23 of these customers then went onto first use the App outside of office hours giving an indication that their complaints related to noise they were being disturbed by out of hours. A total of 378

recordings were submitted to the Council for review from these 23 customers, thus giving an indication of the number of additional reports of noise that would have been made to the Out of Hours Noise Service to react to prior to the trial.

- 3.18 As part of the trial, the Council continued to conduct proactive pre-arranged out of hours noise monitoring visits on a case-by-case basis, as approved by service managers. During the trial, 27 proactive pre-arranged visits took place. Of these, 26 have been conducted during office hours and 1 outside of office hours. Table 2 within paragraph 3.13 of this report confirms how the number of out of hours service officer attendance visits compares to this within preceding years. To date these visits conducted within the trial period have led to necessary progression of noise complaint investigations but have not resulted in any noise nuisance being witnessed.
- 3.19 It is important to note that during the trial period there have not been any formal complaints made to the Council in relation to there being no reactive out of hours noise witnessing service available to customers.
- 3.20 The positive outcome of the trial, as evidenced above, supports the recommendation to permanently adopt the pro-active planned Out of Hours Noise Service approach, supported use of adopted evidence gathering technologies and equipment. This approach is in line with what other comparator local authorities are providing and will enable the Council to realise efficiency savings, while maintaining a good quality service and fulfilling its statutory duty.
- 3.21 A summary outline of the key service changes arising from the recommended new service approach is included table 4 below for ease of reference.

Table 4: Summary outline of key Out of Hours Noise Service changes:

Former Reactive Out of Hours Noise Service Offering	Trial Period revised service operation offering
Reactive noise reporting.	Telephone logging of out of hours noise reports.
Reactive customer contact / out of hours officer complaint response.	Submission of 'Noise App' recordings.
Reactive noise witnessing visits to complainants' homes.	Proactive pre-arranged visits daytime & out of hours.
	Installation of noise recording equipment into complainants' homes.

4. Implications

a) Financial Implications

A move away from a reactive Out of Hours Noise Service in terms of witnessing of noise disturbance will lead to 1.5 FTE Noise Pollution Officer vacant posts being offered up as a £75,000.00 saving.

b) Staffing Implications

A move away from a reactive Out of Hours Noise Service in terms of witnessing noise disturbance would mean that approval could be sought for the other vacant 1 FTE Senior Technical Officer post within the Environmental Health Residential Team to be filled. It is anticipated that

Recruitment to this daytime post would be more successful than previous attempts made to recruit to out of hours vacant positions. This recruitment would be undertaken with support and advice from the Council's Recruitment Team considering the current job market. Recruitment to this vacant post would ensure that the revised daytime noise investigation procedure relating to noise from one domestic property affecting another being more efficiently managed amongst full complement of team resources, as well as ensuring increased resource to further private sector housing enforcement work, which is also overseen by the Residential Team.

c) Equality and Poverty Implications

Please see EqIA that accompanies this report.

d) Net Zero Carbon, Climate Change and Environmental Implications

There are no climate change or environmental related implications associated with this policy therefore the overall rating is 'Nil'.

e) Procurement Implications

None.

f) Community Safety Implications

No additional community safety implications are envisaged in relation to this proposal. The existing daytime noise service will remain to action customer complaints including providing advice and support to them in conjunction with relevant internal and external stakeholders as necessary. The Council's out of hours call handling service will continue to log reports of noise made to the Council outside of office hours including offering customers appropriate signposting as necessary in relation to matters relating to their immediate safety.

5. Consultation and communication considerations

There is no requirement for any consultation in relation to this service area transformation review. Prior to the start of the trial period the Council's ['Pollution, noise & nuisance'](#) web pages and were updated along with internal and external stakeholders including City Homes Housing Officers, the Antisocial behaviour team and Cambridgeshire Police being briefed about this change.

This communication exercise can be conducted again as necessary upon the committee reaching a decision along with wider communication in the form of Council social media feed updates and a press release.

6. Background papers

Background papers used in the preparation of this report:

[Environmental Protection Act 1990 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

7. Appendices

None.

8. Inspection of papers

To inspect the background papers or if you have a query on the report please contact Claire Adelizzi, Team Manager - Residential, tel: 01223 457724, email: Claire.adelizzi@cambridge.gov.uk.