



## **REPORT ON PROGRESS OF ENVIRONMENTAL SERVICES NEW APPROACH ON INVESTIGATING NOISE COMPLAINTS**

**To:**

Councillor Rosy Moore, Executive Councillor for Environment, Climate Change, & Biodiversity

Environment and Community Scrutiny Committee

6<sup>th</sup> October 2022

**Report by:**

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**Wards affected:**

All

Non 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 At this committee on 27<sup>th</sup> January 2022, the Executive Councillor noted the results of the pro-active and planned Out of Hours Noise Service trial that was conducted between 1<sup>st</sup> October – 31<sup>st</sup> December 2021 and approved the adoption of this proactive and

planned service approach on a permanent basis supported by use of evidence gathering technologies and equipment.

- 1.3 It was also agreed by the Executive Councillor at this committee that a further report on progress of Environmental Services new approach to investigating noise complaints would be brought to committee.
- 1.4 The Committee is invited to consider this report detailing further evaluation of the impact of the Council's move from a reactive Out of Hours Noise Service to one which uses a combination of technology, (diary sheets for non-digital customers), and planned use of officer time, on the successful investigation of noise complaints including almost a full year's data, (1<sup>st</sup> October 2021 – 16<sup>th</sup> September 2022).

## **2. Recommendations**

The Executive Councillor is recommended to:

Note this update report on the Council's new approach on investigating noise complaints.

## **3. Background**

- 3.1 The Council's Environmental Services moved to the new investigation procedure in relation to investigating noise complaints on 1<sup>st</sup> October 2021.
- 3.2 This new procedure 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 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 from both residential and commercial sources.

- ii) Any subsequent noise witnessing to establish nuisance in relation to an on-going, persistent noise complaint being addressed via use of the Councils 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.

3.3 Since this date and up to 16<sup>th</sup> September 2022, there have been a total of **579** noise complaints received by the Environmental Health Department:

- i) **382** of these complaints related to reports of noise from one residential property affecting another.
- ii) **176** of these complaints related to reports of noise from a commercial premises including industrial, construction & demolition.
- iii) **21** of these complaints were logged out of hours, (18 in relation to noise from one residential property affecting another and 3 in relation to noise emanating from a commercial premises).

3.4 The above number of noise complaints that were logged out of hours by the call handling service, which is provided as part of the Council's Shared CCTV Service with Huntingdonshire District Council, continues to demonstrate the notable reduction in the number of out of hours noise complaints.

3.5 As acknowledged within the previous committee report, the reduction in the number of out of hours noise complaints continues following the introduction, promotion and subsequent established use of the 'Noise App' technology by the Council.

3.6 By way of comparison table 1 below indicates the number of both out of hours and daytime calls received in previous years, prior to the adoption of the Councils new noise complaint investigation procedure including promotion and use of the 'Noise App'.

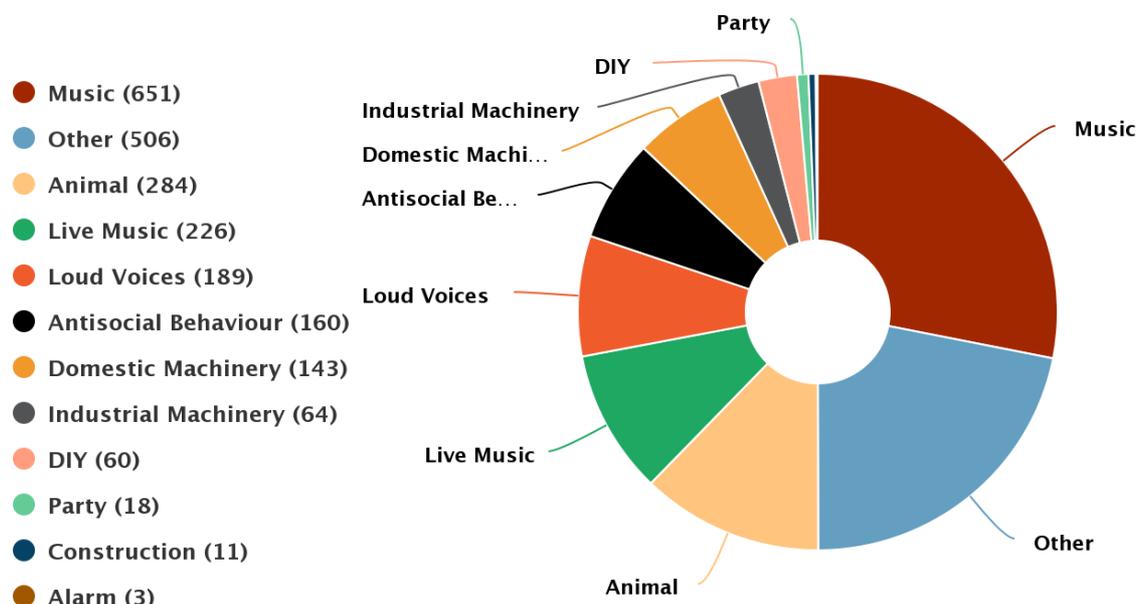
**Table 1: Total number of out of hours noise & daytime reports of noise to the Council between 1<sup>st</sup> October 2018 and 30<sup>th</sup> September 2021:**

<b>Year</b>	<b>Noise reports received out of hours</b>	<b>Daytime noise reports received</b>
2018/19	1390	383
2019/20	1052	526
2020/21	304	635
2021/22	21	579

- 3.7 Where there would have been a larger number of out of hours noise reports to the former reactive Out of Hours Noise Service in previous years as shown above, in 2021 / 22, figure 1 below shows that since the Council first started to use the ‘Noise App’ technology in November 2020 these have continued to translate into in excess of 1000 noise recordings securely submitted by those customers who have actioned the Councils recommendation to engage with ‘The Noise App’ to record incidents of ongoing noise disturbance adversely affecting them. Daytime Investigating Officers then work to assess these on a case-by-case basis as part of the new noise complaint investigation procedure.

**Figure 1: ‘Noise App’ Recordings received by the Council 1<sup>st</sup> October 2021 – 16<sup>th</sup> September 2022 inc. breakdown of noise source that complainants have specified**

## Reports Per Noise Source



thenoiseapp.com

- 3.8 It is re-assuring that the figure relating to the 579 recorded noise complaints made during daytime office hours across this period also clearly indicates that customers are still approaching the Council to make noise complaints as necessary.
- 3.9 Prior to 1<sup>st</sup> October 2021 the Council's 'Pollution, noise & nuisance' web pages were updated to reflect the service changes; and the following internal and external stakeholders were briefed on the changes, including the Councils Customer Services, (CSC), the Councils shared CCTV out of hours call handling service, City Homes Housing Officers, the Anti-Social Behaviour Team and Cambridgeshire Police.
- 3.10 In relation to the 579 noise complaints received across this period the following breakdown of actions and outcomes have been recorded onto the Environmental Health database system, Tascomi, in relation to these:

### Noise Complaint specific action codes:

'Noise App' referrals = 120

Noise Diary sheets issued = 19

Noise recording equipment installed = 34

Noise office hours proactive visit = 68

Noise out of hours proactive visit = 21

**Noise Complaint Additional Specific Outcome Codes:**

Advice Given NFA = 16

Resolved Informally = 63

Investigation no nuisance = 83

Referred to the Neighborhood Resolution Panel Service, (NPRS) = 15

Referred to City Homes = 12

Referred to Anti-Social Behavior Team, (ASB) = 5

Referred to other agency / business = 6

- 3.11 The above outcome codes are those which have been recorded against noise complaints received between 1<sup>st</sup> October 2021 and 16<sup>th</sup> September 2022 that have subsequently been completed / closed by Environmental Health. It is important to note that there are still a number of these complaints that are in progress within the department.
- 3.12 It is important to note that during this period there have not been any formal complaints made to the Council in relation to customer dissatisfaction of the new approach to the investigation of noise complaints.
- 3.13 Since the adoption of the proactive and planned service approach on a permanent basis the following successful outcomes have been secured in relation to the Council's investigation and enforcement of noise complaints as follows:
- i) Service of 4 noise abatement notices in respect of established noise nuisance; with the existence of statutory nuisance in each case from one residential property affecting another being

determined from 'Noise App' recordings and via noise recording equipment installed.

- ii) Seizure of noise making equipment in respect of 2 of the above cases in respect of persistent noise nuisance leading to breach of the noise abatement notices that had been served in these cases.

3.14 This new approach to noise complaint investigation is in line with what other comparator local authorities are providing and continues to enable the Council to realise efficiency savings, while maintaining a good quality service and fulfilling its statutory duty in respect of investigation of noise disturbance that is adversely affecting residents of the city.

## **4. Implications**

### **a) Financial Implications**

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

### **b) Staffing Implications**

the Residential Team within Environmental Services now has a full complement of team resource.

### **c) Equality and Poverty Implications**

N/A as this report is to note with no decision to make.

### **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 remains 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, (CCTV), 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 adoption of the new noise complaint investigation procedure the Council's ['Pollution, noise & nuisance'](#) web pages and were updated along with internal and external stakeholders including the Councils Customer Service Centre (CSC), City Homes Housing Officers, the Antisocial behaviour team and Cambridgeshire Police being briefed about this change.

## **6. Background papers**

Background papers used in the preparation of this report: None.

## **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](mailto:Claire.adelizzi@cambridge.gov.uk).