

Noise and Pollution Team

Overview and Performance Dashboard

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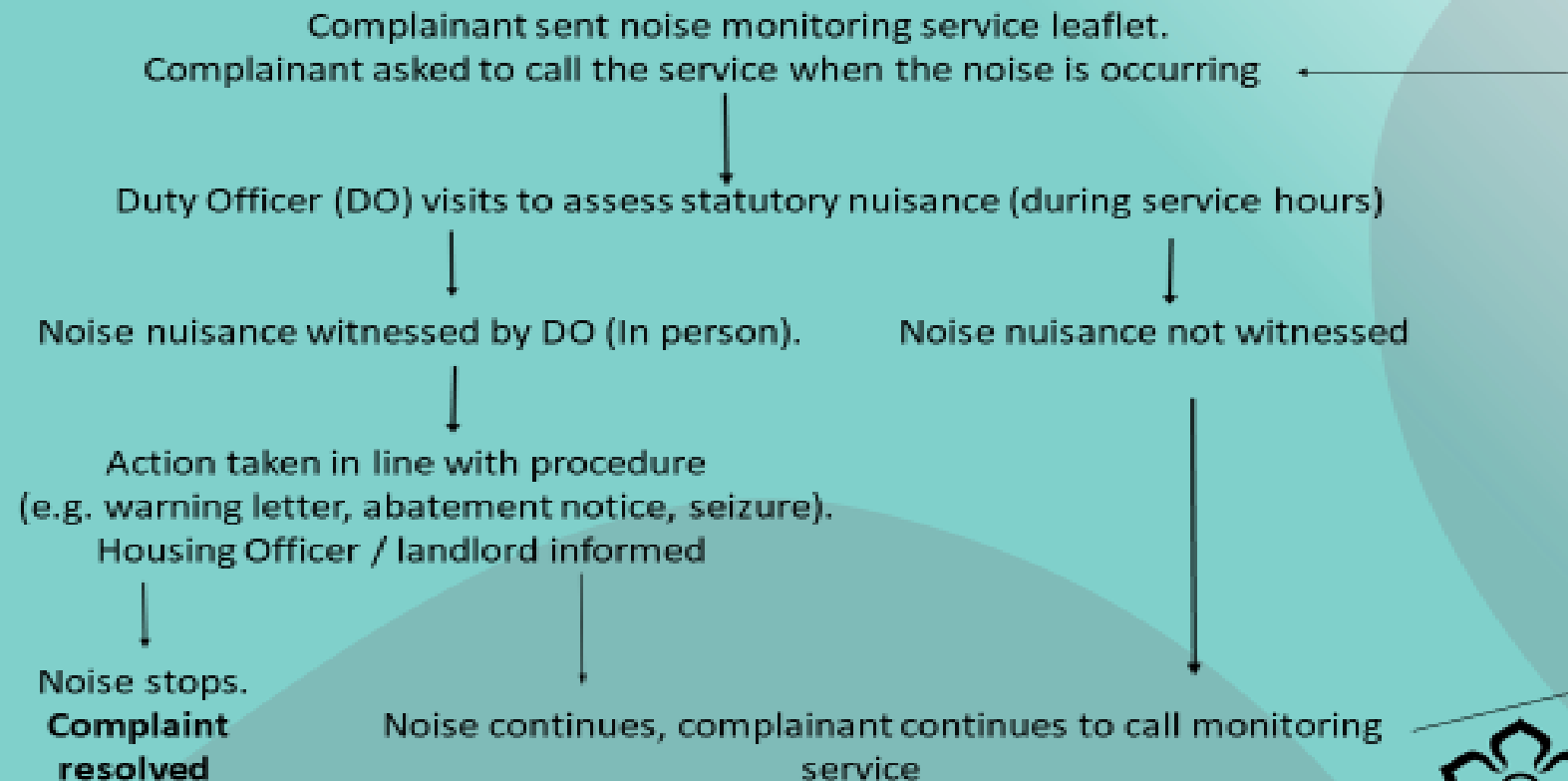
Service Overview

- The Noise and Pollution Control (NPC) Team investigate complaints of statutory nuisance.
- Statutory nuisance can be caused by noise, odour, smoke, dust arising from one property that materially interferes with the enjoyment of another.
- This can be from residential or commercial premises
- The team respond to complaints during office hours and operate a monitoring service to investigate.
- The monitoring service runs Monday to Friday during office hours and Wednesday to Saturday nights until 02.00 hours.
- Other work areas for the team include licensing and planning consultations, inspections of permitted processes and contaminated land.
- 2 Team Managers job share, 8 FTE PCO/EHOs, 2 Night Noise Support Officers (1 FTE)

Investigation of nuisance complaints

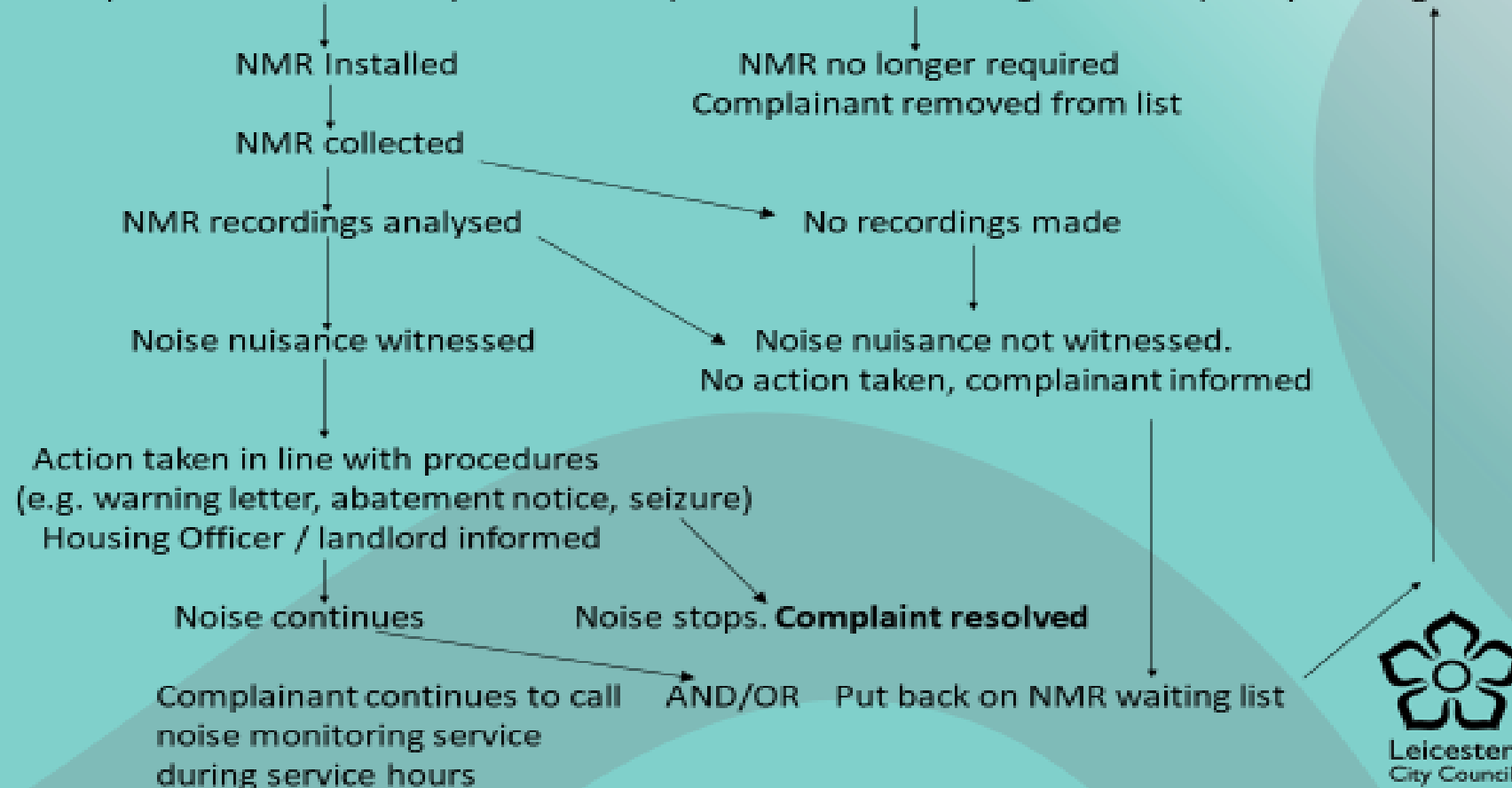
- Residents can make a complaint online at <https://my.leicester.gov.uk/>
- An Officer will contact a customer to discuss their concerns and the nature of the problem they are experiencing.
- Where the service can help customers will be advised of the monitoring service and/or where appropriate the noise monitoring devices
- Nuisance is assessed from the complainant's property – an officer can judge the impact
- During service hours, officers will visit a complainant's home
- For noise that occurs outside service hours or for noise of short duration we will ask for a diary to be kept
- Noise monitoring recorders (NMRs) can be installed but can have limitations
- NMRs – complainant to provide statement
- The best evidence is if an officer witnesses noise/pollution **in person**, during monitoring service hours.
- 90% nuisances witnessed by officers **in person**
- The team have **6 NMRs**

Noise Witnessed in Person



Noise outside monitoring service hours and/or of short duration

Complainant informed they are at the top the Noise Monitoring Recorder (NMR) Waiting List



Noise Service Requests Received

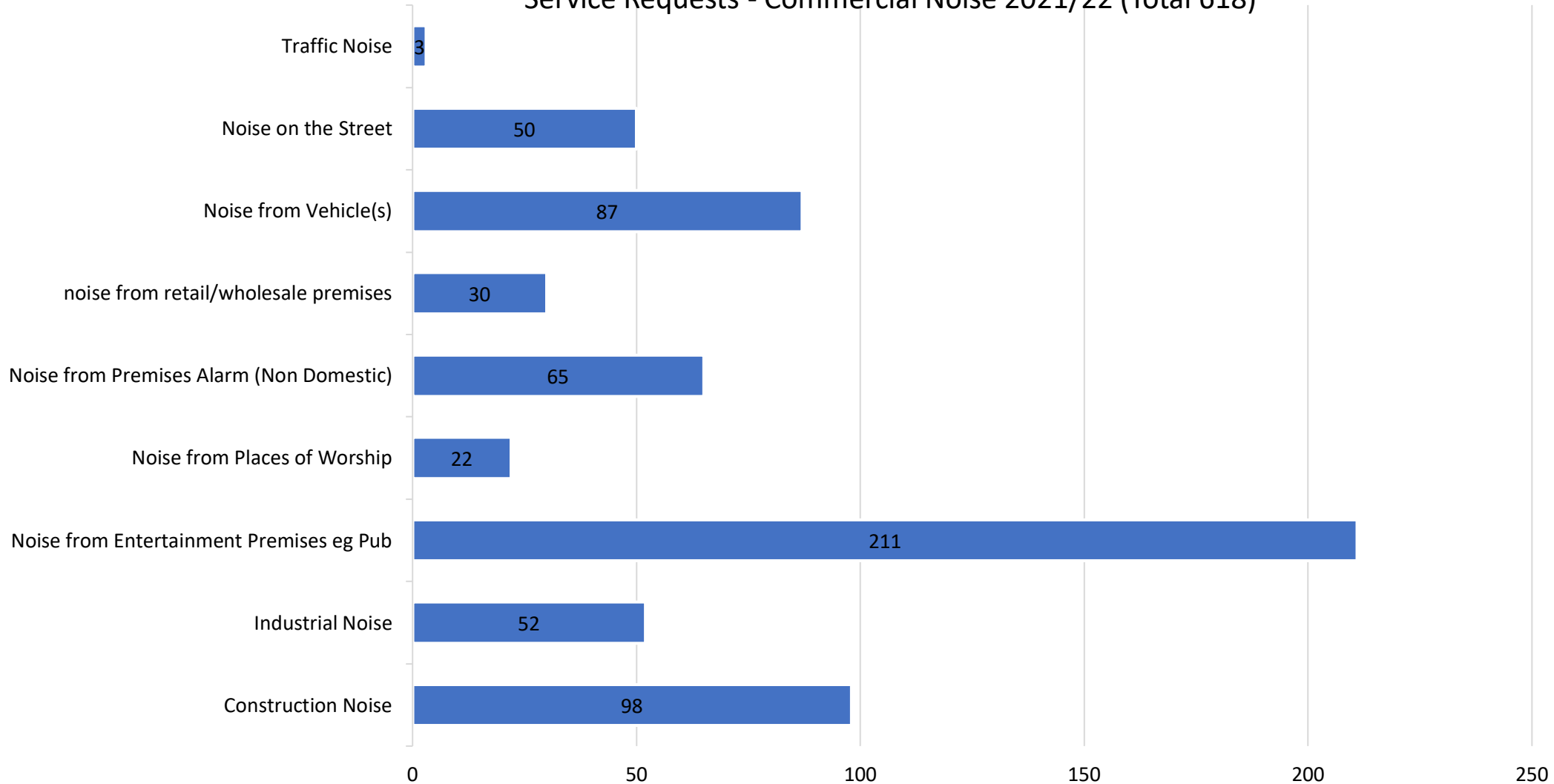
Number of initial domestic noise complaints received	Number of initial dog barking complaints received	Number of initial commercial noise complaints received	Total initial noise complaints received
1985	337	618	2940

Service Requests - Domestic Noise 2021/22 (Total 2322)



- Most domestic complaints are received regarding noise from the playing of amplified music closely followed by intermittent noise (from bangs bumps voices) and then barking dogs
- To prove that a noise is a statutory nuisance the team must show that the noise is causing a detrimental impact.

Service Requests - Commercial Noise 2021/22 (Total 618)

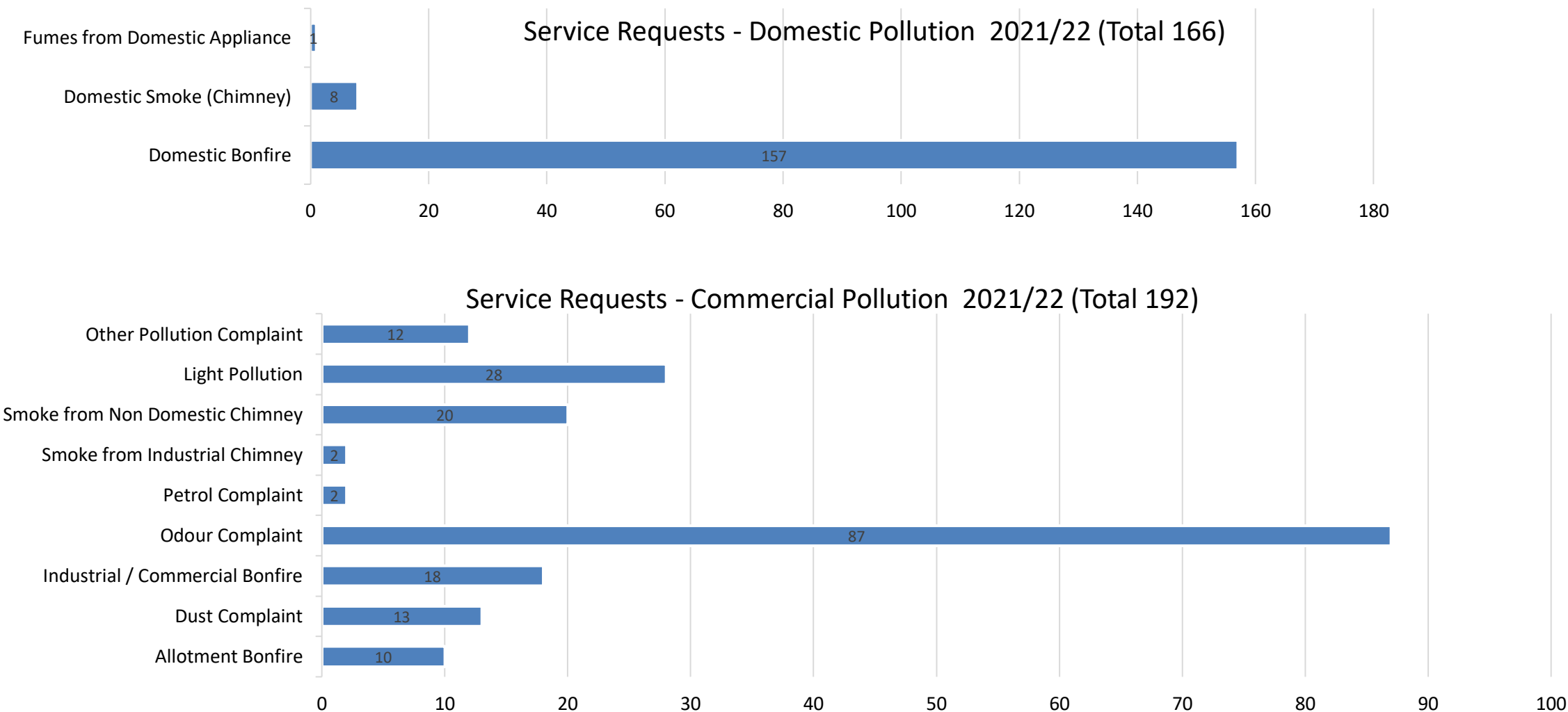


- Commercial noise is noise from a commercial activity affecting residential or other businesses
- Noise from entertainment premises is the predominant type of complaint and the Noise team work closely with LCC and Police Licensing Teams to control and enforce

Pollution Complaints received 2021/22

- The team also respond to nuisance pollution complaints such as dust, smoke and odour.
- The out of hours monitoring service is also use to respond to pollution complaints
- Domestic bonfires are the most significant complaint and then odour from commercial activities

Number of Initial Pollution Complaints received
358



Calls to Noise and Pollution Monitoring Service

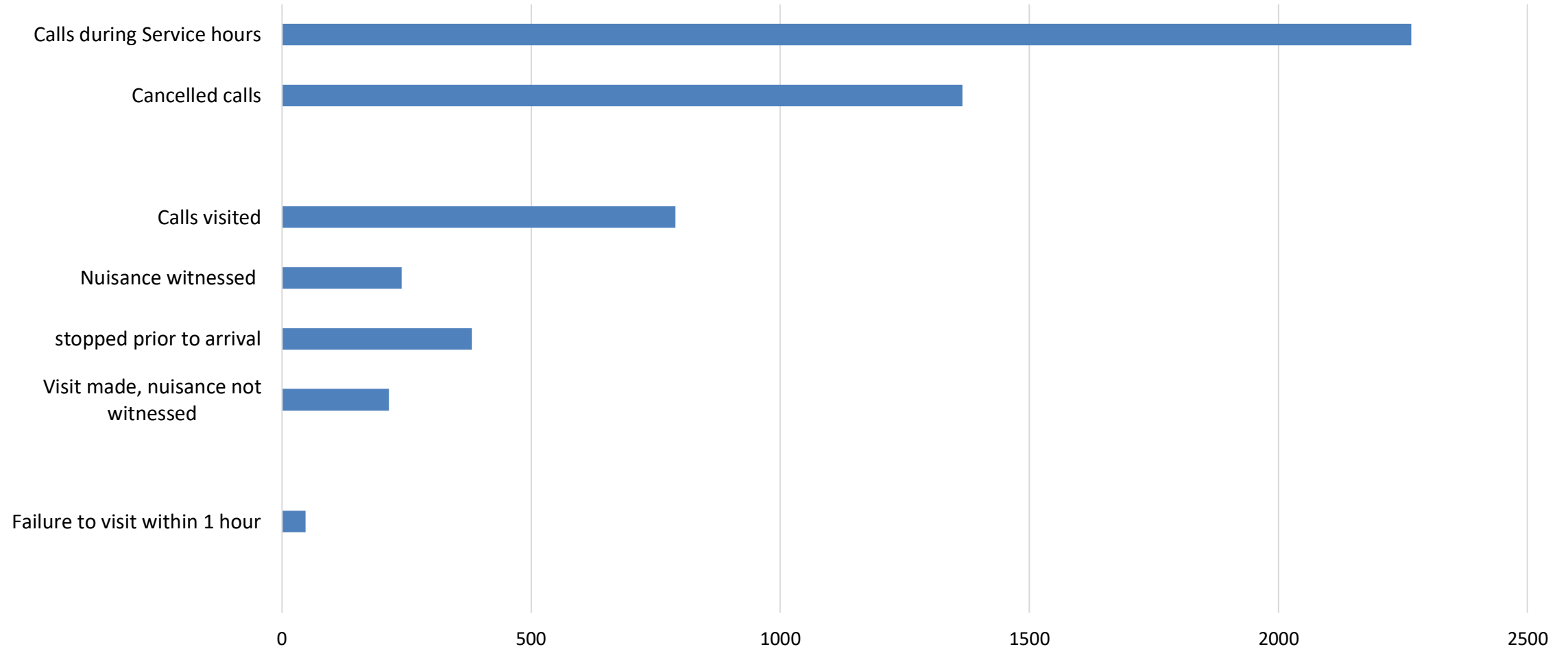
- Complainants can call the duty officer during officer hours or utilise the out of hours service when a nuisance is ongoing.
- An officer has a target response time of 1 hour to respond and assess the noise, odour, dust etc
- In some instances the nuisance may have stopped prior to the officer arriving on site.
- Complaints can call multiple times when the problem is ongoing to give officers the best chance to witness it.
- Complainants can call outside duty officer service hours and record that the problem is ongoing. This information is used to review cases and service needs
- A high proportion of calls to the service are cancelled or the alleged nuisance has stopped prior to an officer arriving on site (77%)
- Of the 826 visits made when the alleged noise/odour nuisance was occurring a statutory nuisance was witnessed in 240 instances
- In 215 Cases the noise/odour was assessed by the officer as not constituting a statutory nuisance.
- Only 10% of nuisances were witnessed via NMRs

Response Time

The NPC Team have a performance target to respond to 90% of calls to the monitoring service by existing users within 1 hour –

In 2021/22 the team achieved 94%

Calls to Noise and Pollution Monitoring Service 2021/22



Case Study – Abu Daniel

- Residents living nearby had complained about unacceptable noise from amplified music and loud bass, which was making it difficult for them to sleep at night, and also made it difficult to use their property during the day.
- Within a two-month period, the council's noise and pollution control team witnessed four noise nuisances from the premises.
- The premises licence holder received three warnings about the noise.
- The warnings were not heeded and a further noise nuisance was witnessed on Sunday 17 September 2022
- As a result, Leicester Magistrates Court granted the noise and pollution control team a warrant to enter the premises and remove noise-making equipment.
- In total, more than 12 items of sound equipment have been seized, including mixing desks, amps and speakers.
- Abu Daniel can claim the sound equipment back a month after the seizure but will have to pay the costs incurred, which will be in the region of £800.
- Following the seizure, the noise and pollution control team are requesting a review of the premises licence for Abu Daniel to remove amplified music and voice from the licence.



Actions

- A graduated approach to enforcement is followed from advice through warnings and where necessary legal action.
- The vast majority of cases are resolved informally following advice or warnings

Nuisances witnessed	Informal warning letters	Statutory notices and notice reminder letters	3 rd Nuisance letters	Seizure	Prosecution Letter	Prosecution / Formal Caution
267	162	62	12	6	0	0

Other Duties

- The team are also responsible for routine consultation and inspection activity.
- They work with planning and licensing on ensuring any potential impact from new applications is minimised
- Inspection work of regulated permitted industrial processes and Petroleum licences forms part of the team planned work

New planning applications – consultations for noise and odour issues	New licensing applications (including TENS) – consultations for noise issues	New planning applications – consultations for contaminated land	EPR and Petroleum inspections undertaken
353	116	162	38

Service Development

Customer Journey - Review of website and public information with regard to the nuisance investigation service. To ensure Leicester residents and businesses are aware of what constitutes a nuisance, self help and advice, how to complain to us and service expectations.

Partner agencies - Continue to work closely with and strengthen liaison with CRASBU and the Police. To share information and intelligence. Supporting CRASBU Team with their and joint investigations.

Permitted Processes - Continue to develop close joint working with the Environment Agency to provide a strategic link and confidence that Leicester sites are operating to required standards

Performance Reporting – Provide regular team performance updates to LMB, CM and Exec to provide confidence in service provision and brief on service performance and trends