

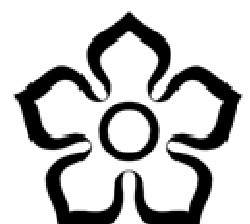
Report to Scrutiny Commission

Neighbourhood Services and Community Involvement Scrutiny Commission

Date of Commission meeting: 17th October 2013

NOISE CONTROL SERVICE

Report of Director of Environmental & Enforcement Services



Leicester
City Council

Useful information

- Ward(s) affected: All
- Report author: Robin Marston: (29) 6436 & Adrian Russell (29) 7295
- Date of Exec meeting: N/A

1. Summary

This report provides information on the Noise Control Service, and details staffing levels over the last five years. Information is also provided in relation to the hours the noise monitoring service operates currently.

2. Recommendation(s) to scrutiny

This report has been prepared at the request of the Scrutiny Commission.

3. Supporting Information

3.1 Introduction

The Noise Team was created in December 2006, from the amalgamation of the domestic noise team and some staff from the Pollution Team that dealt with industrial, commercial, entertainment noise complaints. The aim of the service was to provide a comprehensive noise monitoring service across the City.

The Noise Team is also responsible for commenting on planning applications where there are noise issues, Licensing applications under the Licensing Act 2003, and applications for Temporary Event Notices. The Noise Team is also involved in advising and monitoring noise from festivals and events in the City, e.g. Caribbean Carnival and Abbey Park bonfire display.

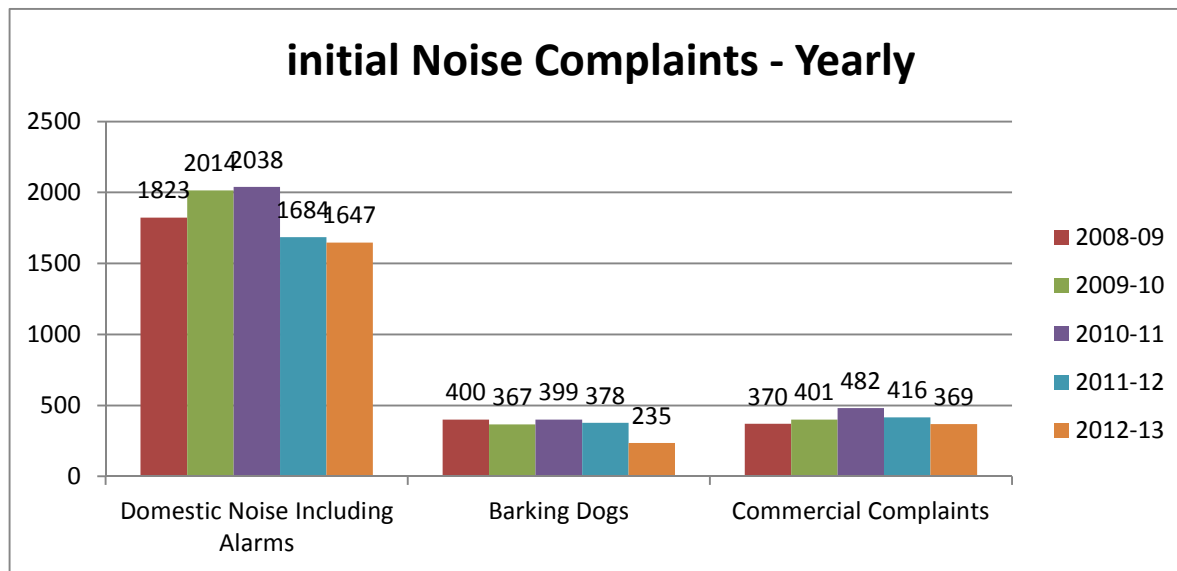
3.2 How the noise team operates

The Noise Team investigates most complaints of noise affecting local residents in Leicester. These complaints can be from loud music, people shouting and screaming in their property, noisy pubs and clubs, industrial sources, intruder alarms, barking dogs and even noise from cockerels crowing.

A resident can register their complaint by contacting customer services at the City Council or the noise team direct. These complaints or service requests are all logged onto our database, and customers contacted by an Officer from the noise team. In most cases the customers will be given a number to call when the noise is occurring and a reference number to quote when calling.

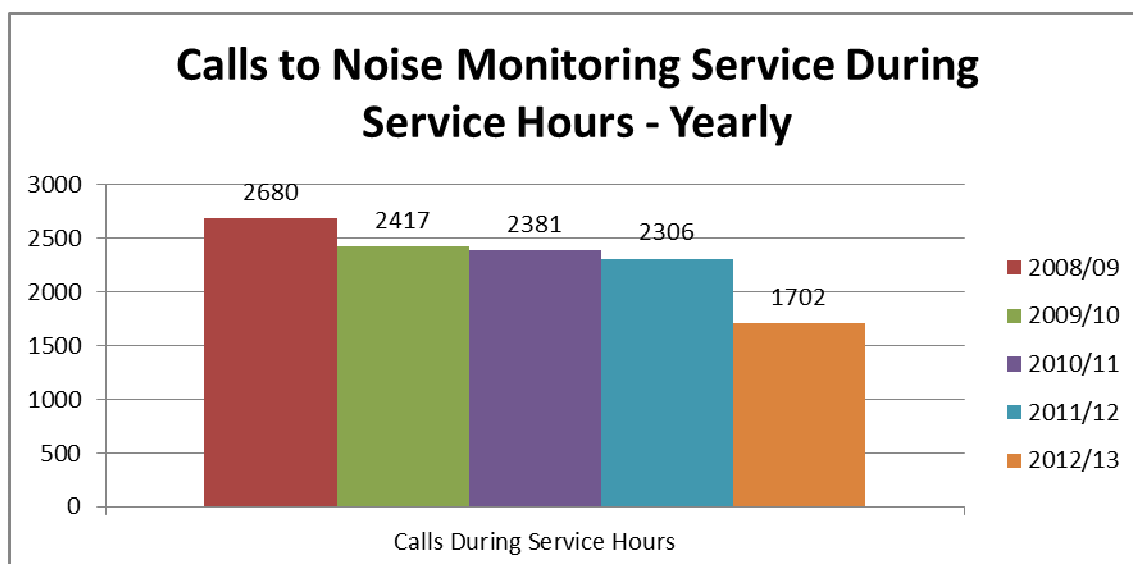
Weather conditions do have a major impact on the number of complaints received by the service and also the number of calls to the noise monitoring service. 2012/13 had exceptionally bad weather, with heavy rain during most of the summer, traditionally the busiest time of year for noise complaints, as the public are more likely to sleep with their windows open and more people will be using their own outdoor space for parties and barbecues.

Table 1: Initial service requests for the noise team (i.e. cases)



When the customer next has a noise problem, they can then call the noise team to come and witness the noise from the property. Some customers never call the noise team again, and other may call the noise team many times.

Table 2: Calls to the noise monitoring service during service hours

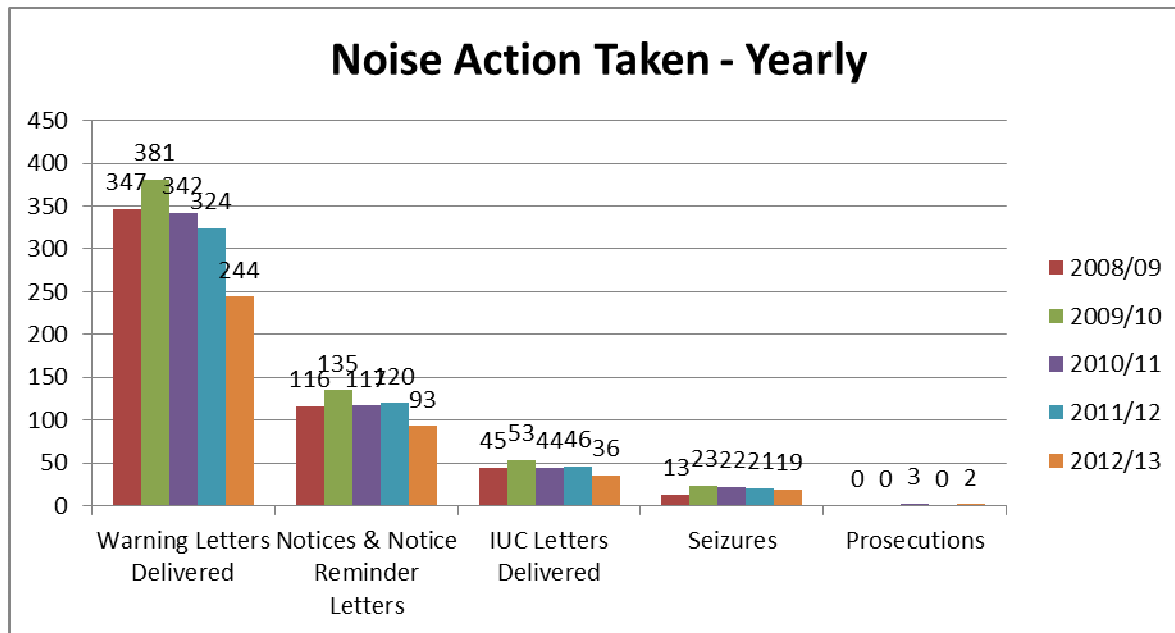


Once a statutory noise nuisance is witnessed the perpetrator of the noise will be contacted, and if the noise persists the noise team can take formal action against the perpetrator. This action can

include seizing noise making equipment and/or prosecution (See Table 3). Information relating to planning and licensing breaches are also referred to these teams for further action. Faulty intruder alarms can also be dealt with by the noise team, with the alarm disabled on the night.

The use of seizures to prevent a recurring nuisance is a cost effective way of dealing with noise nuisance. Prosecutions can be expensive, time consuming (often taking a long time to come to Court) and the levels of fines can be low, with complainants having to put up with the noise nuisance until the hearing.

Table 3: Action taken once a noise nuisance is witnessed



3.3 Obtaining evidence of noise nuisance

Witnessing noise nuisance first hand, with an Officer visiting the complainant, assessing the noise nuisance from their property, is by far the best evidence in court. In the course of such a visit, details including the location of the source of the noise, how that noise materially affects the complainant, and how many other people may be affected by the noise can be assessed. Using Digital Audio Tape recorders (DATs) gives provide information about noise volume and the time and date of when the noise is occurring, which can be used when taking action against perpetrators of the noise. This evidence is not the best evidence as DATs cannot identify where the noise is coming from and the complainant has to provide this information and also how it is affecting them.

The number of DAT recorders within the team increased to 10 in 2012/13, which now equates to 2 per officer (EHO and PCO). An increase in the number of DAT recorders would not help in dealing with the numbers of complainants on the waiting list, as qualified officers still have to listen to the recordings made on the DATs. This can involve a number of hours of recordings, and installing and collecting the DATs is also a time consuming activity.

3.4 Level of resourcing

Table 4 shows recent changes in staffing and service levels within the team:

Year	Staff	FTE	Daytime	Nights	Net budget
2008/09	1 TM, 6 EHO, 3 PCO, 3 NTNA	12	7 days a week (Mon to Sun)	7 nights a week (Mon to Sun)	£485,000
2009/10	1 TM, 6 EHO, 3 PCO, 3 NTNA	12	7 days a week (Mon to Sun)	7 nights a week (Mon to Sun)	£522,800
2010/11	1 TM, 6 EHO, 2 PCO, 2 NTNA	10.6	5 days a week (Mon to Fri)	6 nights a week (Mon to Sat)	£476,900
2011/12	1 TM, 6 EHO, 2 PCO, 2 NTNA	10.6	5 days a week (Mon to Fri)	6 nights a week (Mon to Sat)	£455,900
2012/13	1 TM, 4 EHO, 2 PCO, 1 NTNA	8	5 days a week (Mon to Fri)	5 nights a week (Tues to Sat)	£425,500
2013/14	1 TM, 2 EHO, 3 PCO, 1 NTNA	7	5 days a week (Mon to Fri)	4 nights a week (Weds to Sat)	£366,800

Key: TM=Team Manager
 EHO=Environmental Health Officer
 PCO=Pollution Control Officer
 NTNA=Night time noise assistant

Table 5. Compares service requests with staffing levels

Year	Service requests	FTE's	Service request per FTE
2008/09	2593	12	216
2009/10	2769	12	231
2010/11	2919	10.6	275
2011/12	2478	10.6	234
2012/13	2251	8	281

This shows that although there has been a slight reduction in service requests received by the noise team, individual workloads have increased.

3.4 Planning and Licensing Consultations

The number of planning and licensing consultations dealt with per officer has increased from 43 in 2008/09 to 57 in 2012/13. In general total numbers of planning consultations have decreased over the 5 years, with the economic downturn. However the number of Licensing consultations has increased. This increase has mainly been to a change in legislation which now enables the noise team to comment on Temporary Event Notices (TEN's) as a statutory consultee.

Table 4: Planning and Licensing consultations per FTE

Year	Consultations	FTE's	Consultations per FTE
2008/09	514	12	43
2009/10	509	12	42
2010/11	469	10.6	44
2011/12	389	10.6	37
2012/13	455	8	57

A crucial element of undertaking planning and licensing consultations is the need to monitor noise at night. In particular the need to monitor quiet background noise levels before a building is built or before a premises operates later at night. The Noise Team uses the quieter nights of the week (historically Sunday to Wednesday) in order to undertake this monitoring. This is particularly important for TEN applications, as the Noise Team only have 3 working days in which to make an objection.

3.5. Benchmarking data from other Local Authorities

The noise monitoring service provision in Leicester, even with recent reductions in the service, sits comfortably within services offered by other large cities in the region. Most persistent complaints occur on more than one night of the week, and most calls to the service have always occurred at weekends (See Appendix A). Non domestic noise complaints, in particular those relating to industrial noise, will generally occur when the process is operating, so can be witnessed any night of the week.

The other big cities in the region, Coventry, Derby and Nottingham, have differing levels of service provision (See Appendix B). Coventry has a dedicated night noise monitoring service operating 7 nights a week. Derby also has a dedicated night noise monitoring service operating Thursday to Sundays, also covering weekend daytimes. Nottingham have no night time noise monitoring service at all, with all initial complaints about domestic noise taken by the 101 service and passed to the Police.

Within Leicestershire, Leicester City Council is the only council to operate a night time noise monitoring service. The local district authorities will undertake ad-hoc noise monitoring if required, or use recording devices to investigate noise. The numbers of complaints received by these authorities is substantially lower than within the City.

3.5 Customer satisfaction levels

The customer satisfaction questionnaire undertaken monthly by the NTNA, shows high levels of satisfaction with the team and Officers, but frustration in how long complaints can take to be dealt with, and increasing numbers of complainants requesting that the Noise Team extend service hours and work 7 nights a week. Appendix C shows the number of calls made during the noise monitoring service hours, and per FTE, with calls made outside the operating times also given.

Derby City residents would experience similar problems, although like Leicester City, their service is more focused towards the weekend when more complaints are received. Residents of Nottingham City would experience a much longer wait for action to be taken, with DAT recorders providing most of the evidence. Nottingham City no longer undertake a comprehensive customer questionnaire in respect of noise nuisance.

3.6 Key issues

The noise team now operates a noise monitoring service 4 nights per week, and daytime Monday to Fridays. Although a reduction from the 7 day and night a week service offered in 2008, this level of service provision is still comparable with other major Cities in the region and far superior to that provided by other local authorities in the county. However, the team is now working at full capacity, with little scope for further reduction in resources without major changes in service delivery methods.

Other elements of the noise team's work include consultations on planning and licensing applications, and time pressures, particularly in the case of TEN's, are making these consultations more difficult to complete. The need for service availability during the quieter nights of the week (now Wednesday and Thursday) is also crucial in accomplishing these tasks.

The recent review and re-organisation of all enforcement resources within the Division provides an opportunity to review the level of resourcing between the various enforcement services. It also provides an opportunity to review the ways in which the various services operate to see if alternative approaches might improve overall effectiveness and customer satisfaction levels. Efforts will be made to learn from any alternative methods of service delivery provided by other local authorities and whether techniques such as the provision of self-help packs, greater prioritisation of complaints, utilising evidence from the Police and other agencies, etc. might be beneficial and/or cost-effective. The major financial challenges facing the city council in the future provide another impetus for this work, which will be undertaken over the coming six months.

4. Financial, legal and other implications

4.1 Financial implications

There are no financial implications arising from this report. Information about the net budget is given at Table 4.

Colin Sharpe, Head of Finance, ext. 37 4081

4.2 Legal implications

There are no legal implications arising from the contents of this report.

Shilpa Thakrar, Legal Services

4.3. Climate Change implications

There are no significant climate change implications associated with this report.

Mark Jeffcote, Environment Team (x372251)

4.4 Equality Impact Assessment

Noise problems can affect households across all protected characteristics. A noise problem can have a negative impact on a household's right to family life (one of the Human Rights articles) if the noise is so disruptive that it prevents family activities from taking place. If the perpetrator and victim have different protected characteristics, a noise problem could have the effect of fostering poor relations between those with different protected characteristics. The actions taken by the Noise Control Service provide mitigating actions to reduce and remove negative impacts upon households experiencing noise problems.

Irene Kszyk, Corporate Equalities Lead

4.5 Other Implications

None.

5. Background information and other papers:

None.

6. Summary of appendices: Additional data

7. Is this a private report ? No

APPENDIX A

Calls to Service day and night 2008/09 to 2012/13															
Day	2008/09 (FTE=12)			2009/10 (FTE=12)			2010/11 (FTE=10.6)			2011/12 (FTE=10.6)			2012/13 (FTE=8)		
	Daytime	Nighttime	OOH	Daytime	Nighttime	OOH	Daytime	Nighttime	OOH	Daytime	Nighttime	OOH	Daytime	Nighttime	OOH
Monday	121	210	28	120	191	51	144	204	54	116	205	56	81	0	190
Tuesday	140	198	22	128	198	30	153	231	34	119	238	26	133	143	40
Wednesday	115	209	29	122	198	33	150	186	31	135	224	30	122	163	39
Thursday	109	235	17	102	223	25	137	220	33	153	206	38	139	196	35
Friday	157	423	19	127	365	22	148	436	47	164	392	59	126	342	44
Saturday	118	395	242	88	325	129	0	372	287	0	354	295	0	277	263
Sunday	91	159	170	69	161	164	0	0	316	0	0	330	0	0	348
Total	851	1829	527	756	1661	454	732	1649	802	687	1619	834	601	1121	959

Hours of service
 2008/09 and 2009/10 Monday to Friday 09.00-02.00, Sat-Sun 14.00-02.00 hours
 2010/11 and 2011/12 Monday to Friday 09.00-02.00, Sat 20.00-02.00 hours, No service Sunday
 2012/13 Monday 09.00-16.30, Tuesday to Friday 09.00-02.00, Saturday 20.00-02.00 hours, No service Sunday
 For 2013/14 Monday-Tuesday 09.00-16.30, Wednesday-Friday 09.00-02.00, Saturday 20.00-02.00 hours, No service Sunday
 NB. OOH=out of service hours

APPENDIX B

City	Leicester	Derby	Coventry	Nottingham
Population (2011 Census)	329,839	248,752	316,960	305,680
Staffing levels for the noise control service	8 FTE - 1 Team Manager, 2 EHO, 4 PCO, 1 NTNA	Do not have officers dealing with noise specifically in daytime. Have equated 3 FTE for daytime. This excludes night time noise monitoring service.	Investigations and Operations team includes domestic FTE = 8 Environmental Protection Team FTE = 8 (no information given on how many deal with noise)	Community protection team. Deal with daytime commercial noise and DAT's only FTE = 5
Noise Monitoring service	Mon, Tues 09.00-16.30 Weds-Fri 09.00-02.00 Saturday 20.00-02.00	Have 8 Response Officers Thurs-Sat 16.00-02.00 Sunday 14.00-02.00	6 Officers and driver from operations team Mon-Sun 09.00-03.00	No longer provide a service
Total officers employed in noise control	8 FTE	11 FTE	8 + 3 =11 FTE	5 FTE

APPENDIX C

Calls to service per FTE and OOH's calls 2008/09 to 2012/13

Year	Calls in service hours	FTE's	Calls to service per FTE	Out of hours calls	% Out of hours calls
2008/09	2680	12	223	527	16
2009/10	2417	12	201	454	16
2010/11	2381	10.6	225	802	25
2011/12	2306	10.6	218	834	27
2012/13	1722	8	215	959	36

