



Bath & North East
Somerset Council

How to prevent Noise Nuisance

Commercial

Environmental Protection

Introduction

Noise from businesses can affect people's enjoyment of their homes and become a nuisance. This leaflet contains practical advice about how to reduce nuisances and prevent them.

When a nuisance has an unreasonable effect on people living nearby, action can be taken under the Environmental Protection Act 1990. Under this legislation, the Council has a duty to investigate all complaints about nuisances and if we feel that the nuisance constitutes a Statutory Nuisance we will take action.

To be classed as a Statutory Nuisance in terms of the law, it must be clear that the nuisance has a significant impact upon people nearby. When assessing if an alleged nuisance is a Statutory Nuisance we consider a variety of factors including:

- The time(s) at which it happens;
- How often it happens;
- How long it lasts;
- The volume or intensity of the alleged nuisance;
- The location and characteristics of the area where the alleged nuisance takes place.

The matter may also be investigated under the Anti-social Behaviour, Crime and Policing Act 2014. The behaviour needs to meet three tests before the Council can take further action:

- The behaviour affects the Quality of Life of those in the local area;
- The behaviour is continuous or persistent;
- The behaviour is unreasonable.

Each case is assessed individually and the particular circumstances relating to it are considered.

If you are approached by neighbours complaining about the noise, please listen to their concerns and take time to view the problem if relevant. Take all reasonable action to minimise the noise and tell them what you will do to resolve the situation and when you will do it.

If a complaint has been made about you to the Council, where possible we work to resolve nuisance activity informally by discussion and negotiation. However, if the Council is satisfied that a Statutory Nuisance exists or the matter is unreasonable, a Notice can be served on the person(s) responsible. Failure to comply with the notice can result in court action. If convicted, the person responsible for the nuisance can face a fine.

For more information please contact the Environmental Protection Team on: 01225 477551, or email Environmental_Protection@bathnes.gov.uk or visit the website www.bathnes.gov.uk

How to avoid causing a noise nuisance.

By identifying the various sources of noise from your commercial premises and considering how other people may be affected by it, is an important step to help identify ways to prevent noise nuisance.

Examples of noise nuisance from businesses could be noise from fans, generators, vehicles (such as forklifts or lorries reversing with beepers) or noise from other machinery.

Other commercial noise sources include noise from playing of live or recorded music, deliveries and patrons inside or outside the premises.

Remember that in the warmer weather, having your premises doors and windows open will mean that more noise from inside your building will escape outside.





Construction Noise

Contractors should obtain a copy of British Standard 5228, a guide containing information and procedures for noise control on construction and open sites.

Contractors should follow the guidelines below:

- Give neighbours who may be affected by particular operations at least 48 hours' notice
- Keep working hours between 8am and 6pm, Monday to Friday and 8am to 1pm on Saturdays. There should be no working on Sundays or Bank Holidays.
- Select and properly maintain the quietest suitable equipment and machinery, and observe safe working practices
- Make sure all sub-contractors are told to carry out their work in compliance with agreed guidelines on noise, dust and other matters

- For long-term and complex projects, arrange for detailed liaison with the local community, through structured meetings with residents
- Avoid the need to park on the street by providing on-site parking wherever possible
- Inform the council's Environmental Protection Department where the site activities might be expected to cause disturbance
- Take all reasonably practicable steps to prevent noise and dust from causing nuisance
- Do not allow the use of radios on the site in circumstances where it could cause disturbance.

Alarms

- Ensure your car alarm is in good repair and operates within acceptable parameters, and that it is not causing an unreasonable disturbance;
- Audible intruder alarms and fire alarms can cause a nuisance if sounding for prolonged periods. Ensure alarms are maintained / serviced regularly;
- It is recommended that you provide a neighbour with contact details of a suitable key holder, in case your alarm misfires whilst you are away from your property.



Bath & North East Somerset Council Offices

Opening Hours

Bath

Lewis House
Manvers Street
Bath
BA1 1JG

One Stop Shop Opening hours:

Monday to Thursday 8.30am to 5pm;
Friday 8.30am to 4.30pm

Keynsham Civic Centre

Market Walk,
Keynsham.
BS31 1FS

One Stop Shop Opening Hours:

Monday, Wednesday and Thursday 8.30am to 5pm;
Tuesday 8.30am to 6pm;
Friday 8.30am to 4.30pm;
Saturday 9am to 4.30pm

Midsomer Norton

The Hollies,
Midsomer Norton
BA3 2DP

One Stop Shop Opening Hours:

Monday, Wednesday and Thursday 8.30am to 5pm;
Tuesday 9.30am to 5pm;
Friday 8.30am to 4.30pm

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