

Noise diary sheet guidance notes

Introduction

As part of our investigation into your noise complaint we recommend you keep a record of any incidents that cause you unreasonable disturbance. To help you do this please find enclosed a diary sheet. The information you provide will inform us about the extent of the problem and enable us to determine the most appropriate response.

The diary sheet may be used as evidence if there are legal proceedings. It is important, therefore, the information you provide is specific, detailed and accurate as it may be subject to examination in a court. Your record of incidents may be shared with other agencies such as the police, a relevant housing association or others as a multi-agency approach may resolve the problem. We recommend you follow the advice below when completing the sheet.

Date

Record the full date including the day, for example, Wednesday, 1 January 2014.

Time and duration

Note the time the noise disturbance starts and the time it stops, with the time between being the duration of the problem. We recommend you do not just write 'all morning' or 'all day'. If there is more than one incident on the same day, record them separately. Please remember to state whether the time is am (morning) or pm (afternoon/evening).

Rooms affected

If you are disturbed more in one room than another indicate the room most affected first.

Description of the noise and its effect

Describe the type of noise, for example, loud music, and how it affects you, for example, unable to sleep.

Witness to noise

If other members of your family, neighbours or visitors are present when the noise is happening you should write their names in this column as well as signing their initials against that particular disturbance. Witnesses may be asked to confirm this separately if legal proceedings are taken.

Declaration

Sign and date the diary sheet, including the front, stating it is a true

record of events. The information may be used as evidence should legal proceedings take place.

How else can my noise problem be resolved?

By completing and returning the diary sheet the council will investigate your complaint to determine if the noise causes a statutory nuisance. However, if you feel it would be safe you could discuss your complaint with your neighbour as this can be the best way of resolving the matter. Often neighbours are unaware they're causing a problem. You may find this a bit daunting but if you politely explain you are being disturbed by their noise the result may be better than the council telling them. Often, the noise maker is not aware of the disturbance they are causing and are only too glad to do what they can to avoid causing a problem. Of course, you should be careful if you suspect that your neighbour may react violently to your approach.

Making a complaint to the Magistrates Court.

Where the council decides the noise does not constitute a statutory nuisance, and other approaches have failed, you can take your own action by making a complaint direct to a Magistrates' Court under section 82 of the Environmental Protection Act 1990. You can obtain information about how to take this action from our website at <https://www.westsuffolk.gov.uk/environment/noise.cfm> or call 01284 757053 for more information.

Civil action

People can also take their own civil action where noise causes them a problem. However, it is advisable to first seek legal advice before taking this course of action.