

Noisy neighbours

GWF427 BLU
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Barking dogs, DIY or garden power tools and loud parties can all cause friction between neighbours. If the noise level becomes unacceptable, here's what to do.

Q What's the general approach if noise is a problem?

A Everyone wants to live in peace with their neighbours, but people have different ideas about what constitutes anti-social noise. Follow these guidelines to help minimise problems:

- ❖ Contact your neighbour for a discussion as soon as you can; don't let a problem fester.
- ❖ Be reasonable, stick to the point at issue and know the legal position, just in case.
- ❖ Be prepared to compromise to keep the peace.
- ❖ Do your best to keep up a cordial discussion with your neighbours. However, if you cannot reach a solution, get outside help before relations deteriorate irreparably. Visit the Alternative Dispute Resolution website (ADR) at www.adrnow.org.uk for advice.

Q Noisy all-night parties are making my life a misery. Is there anything I can do?

A Events causing excessive noise between 11pm and 7am fall within the remit of the Noise Act 1996 (Environmental Protection Act 1990 in Scotland). This empowers Environmental Health Officers to visit the site of a complaint, measure the noise and, if it exceeds a set level,

issue a warning for it to be reduced. If this is not complied with, they can levy an on-the-spot penalty of £40-£1000 for night noise offences. They can also confiscate noisy equipment.

Q My neighbour is keen on DIY and often goes on drilling and banging half the night. What should I do?

A If gentle persuasion fails, keep a log of the disturbance, and contact other neighbours to see if they will join forces. Your neighbour may agree to a curfew if shown the extent of the problem. If you still get nowhere, contact your local Environmental Health Officer (EHO), who will probably give you a log sheet to complete. They may also be able to lend you equipment to record noise levels. If the noise is damaging your health, by stopping you sleeping for example, it's important to obtain medical evidence too. If the EHO agrees there is a problem, they can serve an abatement notice that specifies what the neighbour must do to reduce the noise. Failure to comply can mean a fine of up to £2000 plus £50 for each day it continues. The EHO may use the Act to confiscate noisy power tools, for example. Alternatively you can go direct to the Magistrate's Court for an

injunction (or an interdict at the Sheriff's Court in Scotland) to get the noise stopped, but you must have good evidence to support your case.

Q Every Sunday my neighbour mows his lawn, which destroys everyone's peace. Aren't there any regulations about noisy machinery?

A Recent European Community noise regulations do include a maximum noise level for lawnmowers. If you buy a new mower, the label or handbook should now include details of its noise level. Some new garden power tools are also covered, but even these can still be annoying. This is partly because it's often not the total amount of noise that's the problem, but the pitch and type of sound. The only solution is to try to reach an agreement with your neighbours - perhaps arrange a few hours each weekend when you all agree not to use powered machinery and everyone can enjoy the peace.

The Department of the Environment, Farming and Rural Affairs (Defra) produces a free booklet, *Bothered by Noise? There's no need to suffer*. For a copy, phone 08459 335577 or visit www.defra.gov.uk