



MILTON KEYNES COUNCIL'S NOISE NUISANCE INVESTIGATION STATEMENT

VISION

To promote good health and a good quality of life within the community through the effective management of nuisance noise.

Noise Nuisance Investigation

Milton Keynes Council is committed to creating safer communities, improving the health and wellbeing of our residents and the quality of their environment. We will put our customers first and work in a joined up way in collaboration with partner organisations where practicable and appropriate.

Neighbourhood noise can give rise to significant distress and discomfort to those who are affected by it and Milton Keynes Council is duty bound to investigate allegations of statutory nuisance. Noise management can be a complex issue and at times require a complex solution. Sound only becomes noise (often defined as “unwanted sound”) when it exists in the wrong place or at the wrong time such that it causes or contributes to some harmful or otherwise unwanted effect, like annoyance or sleep disturbance. Unlike many other pollutants, noise pollution depends not just on the physical aspects of the sound itself, but also the individual human reaction to it.

Neighbourhood noise can include noise from industrial and commercial activities, recreation and entertainment noise, and noise from domestic premises.

Noise can generally be expected as a fact of everyday life, but it can also be regarded as unwanted sound or pollution. It can sometimes however generate irritation, annoyance, discomfort and induce a stress response in people, hence it can have a negative impact on wellbeing.

All residents are entitled to expect that the activities of others do not interfere unreasonably and unlawfully with their quality of life.

As a whole, Milton Keynes Council has a range of responsibilities for noise complaint investigation and control, these include:

- The investigation and abatement of statutory nuisances;
- Construction site noise;
- As a responsible authority under the Licensing Act 2003;
- Under the Anti-Social Behaviour, Crime and Policing Act 2014;

- Planning and Building Control.

This policy outlines the commitment of Milton Keynes Council to investigating and tackling complaints of neighbourhood noise, excluding noise control at the Planning or Building Control phase. This statement is supported by, and to be read in conjunction with, Annex 1: the **'Procedure for Neighbourhood Noise Nuisance Complaint Investigation'** which details the approach and procedure taken by Milton Keynes Council in the investigation of complaints of neighbourhood noise nuisance.

It is the commitment of Milton Keynes Council to:

- Adhere to the published 'Procedure for Neighbourhood Noise Nuisance Complaint Investigation'
- Informally discuss and provide clear advice and guidance to any party that is being affected by noise or is causing such noise;
- Offer advice to an individual suffering from noise disturbance and try and resolve the matter informally by contacting the person or organisation identified as creating the disturbance. This is often the easiest and most efficient method of resolving problems and we will promote community based solutions. We will recommend that residents speak to their neighbours to resolve minor issues in the first instance. In the majority of instances we generally find that the person or organisation causing the noise may not be aware of the impact it is having; however, we understand that some individuals may be unwilling or unable to do so and therefore we do not require this prior to accepting a formal complaint;
- Advise a complainant at the earliest opportunity if the matter reported is not one which the Council is able to assist with;
- Undertake a thorough investigation into a formal complaint in a cost effective and proportionate manner, referencing appropriate law and technical guidance documents, taking such steps as are reasonably practicable and efficient; complaints will be prioritised appropriately and will be allocated to a case officer;
- Advise all parties as to how the complaint will be investigated, with reference to the investigation procedure, including the methods to be used and approximate timescales;
- Ensure that all communication is clear and unambiguous. However, 'acoustics' is a branch of physics concerned with the nature and properties of sound and in addition, 'statutory nuisance' is a branch of law, as such some information and terminology might be unavoidably technical in nature, depending on the case specifics;

- It is our policy not to release complainants' names and addresses. It might however be necessary for complainants to attend court or provide information to the court in which case it might not be possible to withhold names and addresses, this would be discussed with the person or people concerned at that time;
- Anonymous complaints will not be investigated, however, a record of the complaint will be held on file;
- Where appropriate for effective investigation, teams across the Council and external partner agencies will work together to investigate and resolve complaints. Any personal data shared will be in accordance with relevant legislation and information sharing agreements;
- Take timely and appropriate action within the law to resolve, control, or mitigate noise sources which give rise to complaints;
- Act in a reasonable, proportionate, fair and impartial manner, ensuring that our policies and procedures serve all parties and that we enforce the law in a non-discriminatory manner;
- Ensure that actions and decisions are recorded;
- Where an investigation cannot be progressed we will communicate that to the complainant. In instances where we can provide no further assistance the reasons will be explained, and advice provided as to where the complainant could seek further support;
- Where a noise complaint has been previously investigated and closed, the Council will re-open the investigation if, the view of the investigating officer, there is a material change in the circumstances of it.
- Complaints which are misconceived, hypothetical, repetitious or otherwise vexatious may not be investigated.
- The Procedure for Neighbourhood Noise Nuisance Complaint Investigation is subject to periodic review by agreement of the Head of Service to reflect changes in legislation, codes of practice, guidance, technological advances and Ombudsman rulings or recommendations.

Complaints about our service will be addressed through our corporate complaints procedure, which can be found on our website: [Complaints](#) and may also be obtained by applying in writing to: Milton Keynes Council, Civic Offices, 1 Saxon Gate East, Milton Keynes, MK9 3EJ.