



Lancaster City Council

Housing and Property: Council Housing

NOISE NUISANCE POLICY

May 2025

Prepared by:	CC
Effective from	May 2025
Approved by	JW & Tenant Voice
Review date	May 2027
Revision number:	1.1

(01524) 582929



councilhousing@lancaster.gov.uk



1. Introduction
2. Policy Statement
3. Policy Aim
4. Prevention
5. What We Will Investigate as Anti-Social Behaviour
6. Noise that we will not investigate as Anti-Social Behaviour
7. Reporting Noise Nuisance
8. Reasonable Day-to-Day Household Noise
9. Actions We Can Take
10. Existing Tenancies
11. ASB Case Review/Community Trigger
12. Quality Assurance and Monitoring
13. Review Process
14. Other Associated Documents
15. Relevant Legislation

1. Introduction

- 1.1. Noise nuisance is the most reported cause of nuisance and anti-social behaviour (ASB). Noise from neighbours can be upsetting, cause annoyance, lack of sleep and stress. We will investigate noise nuisance complaints and act if we find the noise is statutory and not the result of everyday living.
- 1.2. Noise is part of everyday life in a densely populated environment, but it can become a nuisance when the level and frequency make an unreasonable invasion on your right to peace and quiet.
- 1.3. Noise nuisance can range from playing loud music or listening to the television at unreasonable levels, to shouting or slamming doors loudly and inconsiderate use of electrical appliances, or carrying out DIY outside of reasonable hours, generally considered to be between 8am and 10pm. Removing flooring such as carpets or installing wooden/laminate flooring could result in excessive noise to neighbouring properties.

2. Policy Statement

- 2.1. Lancaster City Council is committed to ensuring that all residents living in council housing enjoy a peaceful and quality living environment. This Noise Nuisance Policy outlines our approach to addressing noise reports within our properties to maintain a high standard of living for all residents.
- 2.2. Lancaster is committed to providing decent homes that are well insulated to reduce potential noise transference.

3. Policy Aim

- 3.1. The purpose of this policy is to:
 - a) Provide a clear outline of Lancaster City Council's standpoint on noise nuisance within our housing stock. Including what we will and will not investigate as noise nuisance.
 - b) Define a clear framework for addressing noise reports in Council Housing.
 - c) Ensuring each property will be assessed for potential noise reducing measure during any void period, where there have been previous reports of noise disturbance. This will include leaving carpets which are in good condition, removing hard flooring where this has been linked to noise complaints, installing insulation and providing anti-vibration mats to the washing machine space.
 - d) The Council will engage with Tenant Groups to ensure the tone of our communication is unbiased.
 - e) The Council will ensure that all external and internal communication is professional and courteous.

4. Prevention

- 4.1. Carpets will be assessed and if they are in good condition the new tenant will be offered the carpets, and if they do they want them to remain in the property they will be gifted to the tenant.
- 4.2. Anti-vibration mats will be installed in properties where there have been previous complaints of noise transference, and this is deemed to be a potential issue for the new tenant.
- 4.3. All tenants will undergo a Tenancy Induction to assess their vulnerabilities, and consideration will be given to any issues relating to noise disturbance.
- 4.4. The Tenancy Agreement will include a clause that hard flooring is not permitted in flats above ground level.
- 4.5. The Council will work closely with other agencies to ensure noise nuisance is managed effectively.

5. What We Will Investigate as Anti-Social Behaviour

- 5.1. Anti-Social Behaviour can mean different things to different people, and therefore we have developed a threshold and a framework within which we will operate, in order to assess those behaviours and actions that are deemed to be unacceptable and harmful and are considered to be unreasonable standards of behaviour. This can extend to reports about noise.
- 5.2. We respond to reports about 'extreme and excessive noise that is persistent and unreasonable and is causing unacceptable levels of disturbance to a reasonable person' as anti-social behaviour. This can include, but is not limited to:
 - a) loud music or parties
 - b) barking dogs
 - c) home improvement and DIY at unreasonable hours

6. Noise that we will not investigate as Anti-Social Behaviour

- 6.1. We will not generally investigate the following as anti-social behaviour unless there is clear evidence that there are unacceptable levels of behaviour taking place which is causing serious harm to others, the community, or the environment. These issues will be handled under the Council's Neighbourhood Management Policy. This list is not exhaustive.
 - a) Babies crying,
 - b) Children playing outside,
 - c) Children falling out with each other,
 - d) One off parties and BBQ's,
 - e) Reasonable day-to-day household noise,
 - f) DIY activities at reasonable times,
 - g) Isolated and short incidents of dog barking,

7. Reporting Noise Nuisance

- 7.1. If a tenant or resident is suffering with noise from a neighbour, the Council would suggest that they first attempt to resolve the matter by approaching their neighbour directly, particularly as this is often the easiest and most efficient method of settling problems. It's possible that they may not even be aware that they are causing a problem. The Council can provide 'dear neighbour' cards which could be a friendly, non-confrontational way to do this.
- 7.2. Please refer to the Council's Neighbourhood Management Policy for further guidance on developing good relationships with your neighbours.
- 7.3. However, the Council understands that some people may be unwilling or unable to raise issues directly with neighbours and therefore do not require this attempt to have been made prior to accepting a report of noise nuisance.

8. Reasonable Day-to-Day Household Noise

- 8.1. Noisy neighbours are the most common form of nuisance and ASB reports. The main problems are caused by things like barking dogs, loud music, shouting, banging doors and DIY activities.
- 8.2. However, no home is completely soundproof, tenants and residents are always going to hear some noise from their neighbours. This could include things like footsteps or hearing doors close.
- 8.3. In some cases, a neighbour may be behaving unreasonably, such as playing loud music late at night or letting their dog bark all day.
- 8.4. However, in many instances neighbours are behaving normally, but the insulation in the floors and walls may not be sufficient to nullify the sounds of everyday living.
- 8.5. Some tenants might be over-sensitive to the noise. Some people tune in to a noise and find it annoying while others don't even notice it.
- 8.6. In the instances of reasonable day to day household noises, cases will not be investigated by the Council as Anti-Social Behaviour, however the service may be able to assist by providing advice and guidance on actions that could be taken to help the situation.
- 8.7. The Council's Void Management Policy sets out the approach to noise dampening measures within properties which are empty, and prior to a new tenant moving in. During the void period opportunities will be considered to address noise transference issues relating to the construction or maintenance of the property.
- 8.8. During a tenancy we may consider options such as the installation of noise dampening measures, the removal of hard surfaces, or signposting for funding or other opportunities to support provision of floor coverings.

9. Actions We Can Take

- 9.1. In order to give an efficient and effective service, the following procedure is applied to all new reports regarding noise Nuisance.

Initial Written Contact

- 9.2. An initial letter will be sent to the alleged perpetrator outlining the noise nuisance occurring providing an opportunity for the household to alter their behaviour. The complainant will also be asked to download The Noise App 2.0 to record details of any future nuisance, paper diaries can be supplied on request, reporters can also send evidence by email, phone or USB storage device. If they can present evidence to their case officer in any other form, then it will be added to the investigation for consideration. Mediation between both parties will be offered at this stage.

Second Written Contact and Home Visit

- 9.3. Should the noise continue, and further complaints or reports are made to the Council a second letter will be delivered. The Community Safety Officer for the neighbourhood will visit the address and the reporter will also receive written confirmation of the action taken by the Council. During this visit any support needs for the perpetrator will be discussed, this may include referring them into other services such as Community Mental Health or Adult Social Care etc.
- 9.4. An additional nuisance diary can be provided at this point if required.

Third Written (or other appropriate) Contact

- 9.5. Should the noise continue, and further reports be received, a further written warning will be issued to the perpetrator. They will be reminded of what was discussed at the home visit and the actions they agreed to take.
- 9.6. A reminder of their tenancy agreement clauses regarding disturbance to neighbours will be included in this letter. At this stage an Acceptable Behaviour Contract may be issued to the perpetrator if the case officers deems it is appropriate.

Fourth Written (or other appropriate) Contact

- 9.7. Should the noise continue, and further reports be received a fourth written warning will be issued to the perpetrator. A further home visit and/or phone call will be carried out prior to this. The fourth letter will detail and the steps that have already been taken to stop the noise and the potential for legal action will be outlined in this letter.



Letter before action

- 9.8. If the noise continues to be reported and further evidence is received the case officer will discuss the case with the Housing and ASB Solicitor to discuss what formal action should/could be taken at this stage. These actions can include, but are not limited to, injunction, issuing a Community Protection Warning or Community Protection Notice, or serving a notice to begin possession proceedings of the property.

Noise Monitoring and Abatement Notice

- 9.9. If the problem is continuing the noise will be monitored.
- 9.10. This would be done through **The Noise App 2.0** on the tenant/resident's phone or tablet to report nuisance noise directly from the app. This is a free app to download and simple to use. The app can be downloaded from www.thenoiseapp.com or via Google Play or the Apple App Store.
- 9.11. Should the investigating officer consider that the noise recorded may amount to a "statutory nuisance" the case would be escalated for consideration by the Council's Environmental Services team.
- 9.12. Where appropriate Environmental Services may use their powers under the Environmental Health Act. Any legal action under this legislation will be pursued by Environmental Services within their policy framework.

10. Existing Tenancies

- 10.1. Where an existing Tenancy has installed hard flooring and a noise report is received the Tenancy conditions will be checked to determine if permission was required and sought and if not the tenancy conditions, where appropriate, will be enforced against.
- 10.2. Where tenants have removed carpets and hard flooring is present the tenant will be supported to replace this flooring with carpets or rugs.

11. Anti-social Behaviour Review

- 11.1. We work in partnership with agencies, including the police and local councils, to tackle and resolve cases of ASB. We engage fully with the ASB Case Review process and promote this through the Lancaster City Council website.

What is the Anti-social behaviour review?

- 11.2. If a tenant or resident has repeatedly reported an ASB issue to the Council and the service hasn't taken any action to resolve it, the reporting party can apply for an ASB Case Review. The legislative around the ASB Case Review is set out in Sections 104 and 105 of the Antisocial Behaviour, Crime and Policing Act 2014.

- 11.3. It enables a tenant or resident to request a review of their ASB case if certain thresholds are met. As a registered provider of social housing, the Council are required to cooperate with the process as defined in the Act.
- 11.4. The threshold for activating an ASB Case Review is:
- three or more complaints made to us in the previous six-month period.
 - the persistence of the antisocial behaviour.
 - the harm, or potential harm, caused by the antisocial behaviour.
 - the adequacy of response to the antisocial behaviour by us.
- 11.5. A tenant or resident should only use the ASB Case Review if the Council hasn't taken any action as a result of repeated ASB reports being made. If the threshold for an ASB Case review is not met the case will be passed back to the Community Safety Manager for appropriate action/escalation through the ASB process.
- 11.6. Applying for or activating the ASB Case Review does not interfere with a tenant's right to follow the Council's complaints or ASB procedure. Both processes can run at the same time.

12. Quality Assurance and Monitoring

- 12.1. This Policy will be subject to review within the timescales set out on the header page, taking into account current legislation, social housing regulation, and sector best practice.
- 12.2. Noise nuisance is a prominent and contentious issue within housing management, and ongoing opportunities for tenant input into this area of service delivery will be sought regularly. This may include through the Tenant Scrutiny Panel; satisfaction surveying; the Tenant Voice; surgeries; and other ad hoc methods.
- 12.3. We will seek feedback from customers and carry out regular monitoring and reviews of all reported cases of anti-social behaviour, including the numbers, progress, and outcomes of cases.
- 12.4. Individual cases will be closely supervised and managed by the Community Safety Manager on a regular basis with the case officer. The Community Safety Manager will provide appropriate advice and support to case officers and provide direction ensuring that cases are progressed in line with operating guidelines and procedures.
- 12.5. Performance information regarding noise nuisance is monitored and reviewed monthly and quarterly by the Community Safety Manager and reported to senior management and the Housing Portfolio Holder. This includes action plans.

13. Review Process

- 13.1. This Policy and associated procedures and guidance will be reviewed every two years or sooner if there are significant changes to legislation, regulatory changes, national policy changes or there is an operational need to do so. Any amendments will be appropriately

consulted on and signed off and clearly communicated to the wider Council Housing staff groups as well as our tenants and residents.

14. Other Associated Documents

- Anti-Social Behaviour Policy
- Domestic Abuse Policy
- Hate Behaviour Policy
- Housing Allocation Policy
- Complaints Policy
- Unacceptable Behaviour Policy
- Void Management Policy
- Neighbourhood Management Policy
- Vulnerability Policy
- Allocation Policy

15. Relevant Legislation

- ASB Crime and Policing Act 2014
- Equality Act 2010
- Housing Acts 1985, 1988 and 1996
- ASB Act 2003
- Crime and Disorder Act 1998
- GDPR 2018
- Data Protection Act 2000
- Mobile Homes Act 1983

