



Derby City Council

Advice on preventing a noise nuisance

What is Neighbour Noise?

Noise from neighbours is a common source of disturbance. The most frequent complaints are about barking dogs, loud music, loud TVs, shouting, banging doors and DIY activities. This leaflet concerns neighbour noise.

Noise and the Law

The sensitivity of people to different types of noise varies. Sounds that some enjoy may annoy others.

Where the noise is caused by people living or visiting a Housing Association property, the relevant Housing Association may be able to investigate the neighbour noise complaint to determine whether people are behaving unreasonably. As landlord, Housing Associations have the power of eviction. This can be an effective means of controlling noise nuisance problems.

Where the noise arises from any property which does not belong to a Housing Association, such as a private rented house or communal property, we can investigate the neighbour noise complaint. Where a council officer witnesses a statutory noise nuisance, the Council does not have the power of eviction. Instead, it can serve a Notice requiring the nuisance to be stopped. Where a Notice is served and the nuisance is not controlled, the Council can prosecute individuals in the Magistrates Court.

There is no fixed noise level for action to be taken over neighbour noise. Investigating officers determine whether a noise is unreasonable, by making a judgement as to whether it either interferes with enjoyment of the complainant's property or is prejudicial to their health.

In order to make this judgement, account is taken of the following factors:

- Volume of the noise.
- How often the noise occurs.
- Duration of each noise event.
- Time of day e.g noise is more disturbing between 11pm and 7am, when most people expect to be able to sleep.
- Type of noise e.g. the base beat from music can cause disturbance.
- Proximity of the neighbouring property.
- Character of the neighbourhood e.g a nuisance is more likely in a quiet residential area than in the city centre.
- Account can only be taken of how the noise affects the 'average' person, as opposed to people with sensitive hearing or those working night shifts.
- Whether the noise is malicious.

In Many cases a nuisance can be avoided by following the advice below.

What Can I do To Control My Noise?

Everyone can expect some noise from their neighbours, as no house or flat is totally soundproof. In order to control neighbour noise and consider your neighbours, the following simple measures can be taken:

1. If you are planning to have a party, tell your neighbours in advance and keep the noise to a minimum.
2. Keep the volume of TV, radio and music as low as possible, especially late at night. If you want to turn the music up, use headphones. Be careful not to deafen yourself!
3. Do noisy DIY and garden jobs during normal waking hours
4. If your dog barks when left alone, here are some suggestions:
 - a. Make sure that the dog becomes used to you being away for different periods of time at different times of the day. To train it to do this, you can put the dog in another room and not return until it is quiet for a period. The time that the dog is left alone can then be gradually increased.
 - b. Do not make a fuss whenever you leave your dog.
 - c. Feed and exercise your dog before you leave, make sure that it has some fresh water, its bed/basket and its favourite toys.
 - d. Check that the room is not too hot or cold and that there is adequate ventilation.
 - e. If you are not coming back until after dark, leave a light on.
 - f. Make sure the dog cannot see outside, so that it will not bark at things happening outside.
 - g. Leave a radio on at low volume, as some dogs will only settle when they hear a human voice.
 - h. Try not to leave your dog for long periods. If this is not possible, ask someone else to check on it and take it for a walk.
 - i. If you keep your dog outside, try not to put its kennel near your neighbours fence or where the dog will be tempted to bark
5. If using fireworks for a celebration, tell neighbours and do not use them after 11pm
6. Locate noisy household equipment (e.g. washing machines) away from party walls.
7. Make sure that audible intruder, smoke and fire alarms are:
 - a. regularly serviced,
 - b. they cut out after sounding for 20 minutes,
 - c. you appoint two key-holders for the property and
 - d. tell your neighbours who your key-holders are.

Where there is poor sound installation between neighbouring properties, normal everyday living can cause disturbance. An advice leaflet on 'improving the sound installation in your home' can be obtained from the Building Research Establishment http://www.bre.co.uk/pdf/soundins_homes.pdf or by contacting your Housing Association.

