

What to do if you have noisy neighbours

We summarise what you can do below. You will find more detail on the noise page of the of the anti-social behaviour site: <https://asbhelp.co.uk/noise-2/>. You can also check out: <http://www.environmentlaw.org.uk/rte.asp?id=115>

A conversation with them may help

Sometimes the neighbours may not appreciate the impact they are having on you. It is worth explaining it to them. If they are reasonable people they may well do something about it.

Go to your local authority

If it is not sorted out, contact your local authority. You want to speak to an Environmental Health Officer (EHO). They are obliged to investigate it. They may ask you to keep a diary or suggest an app. It has to be said that some local authorities are better than others.

The 1990 Environmental Protection Act is the key piece of legislation. It allows councils to issue noise abatement notices, impose fines and confiscate noisy equipment. The problem can be that, before taking action, the council has to prove that the noise is a statutory 'nuisance'. This is easy to do so in some cases – for example, if the neighbour is playing loud music 24 hours a day. It can be more difficult when the issue is less clear-cut. This can mean that an EHO may be reluctant to go to the courts. The Environmental Protection Act can be found at:

<https://www.legislation.gov.uk/ukpga/1990/43/contents>

The Act also gives the noise sufferer the right to take their own legal action. This can be time-consuming. And, of course, you would need to satisfy the court that the noise was a 'nuisance', as defined by the Act. However, don't rule it out. Before going ahead, it is worth checking out <https://asbhelp.co.uk/noise-2/> or speaking with a local lawyer or contacting Noise Direct, an independent group who will give you advice on how strong a case you might have and what options are open to you: <https://noisedirect.co.uk/>

The Housing Act 1996 allows social landlords to take action against tenants for anti-social behaviour. All landlords can also include in their tenancy agreements clauses to prevent excessive noise: <https://www.legislation.gov.uk/ukpga/1996/52/contents>

The Crime and Disorder Act 1998 gives councils the powers to issue ASBOs to anyone causing "harassment, alarm or distress" - this can include noise. Disobeying an order carries a prison sentence of up to five years: <https://www.legislation.gov.uk/ukpga/1998/37/contents>

The Anti-Social Behaviour, Crime and Policing Act 2014 can also be very useful. It covers noise. It does not require proof that the noise is a 'nuisance' as the Environmental Protection Act does; only that anti-social behaviour has taken place: <https://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>. For a good summary of how it can help you: <https://asbhelp.co.uk/noise-2/>

The Noise Act 1996 allows for stronger and more immediate action to be taken between 11pm and 7am: <https://www.legislation.gov.uk/ukpga/1996/37/contents>

Councils can take action using a whole range of legislation. Don't let them off the hook!