Noisedirect
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NATIONAL NOISE SERVICE
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Dispelling Noise Myths

Clause 33 of the Deregulation Act 2015

Noisedirect believes that public policy and legislative changes need to be based on robust evidence and not ambiguous or anecdotal views. Local authorities need to target resources at the actual day to day noise issues that affect people.

According to the CIEH 2013-14 annual Noise Survey of Enforcement Activity by local authorities, the single largest group, which accounts for 93,107 noise complaints nationally; relates to residential complaints. Despite the widespread introduction by many local authorities of selective Licensing under the Housing Act 2004, there is no national evidential database to substantiate private tenants or landlords are responsible for the majority of noise complaints to Councils.

In fact, CIEH noise statistics confirm that residential premises only accounted for 26,838 'potentially actionable incidents' and 1,372 abatement notices under section 80 of the Environmental Protection Act 1990, with just 50 convictions nationally for noise nuisance.

There is no evidence to suggest whether in fact any of these properties were occupied by private tenants or owned by private landlords. Yet there seems to be a popular theme, where it has become accepted rhetoric that the private rented sector is responsible for virtually all issues of noise and ASB. Private landlords have a particular image, and by association private tenants now seem to be equally tarnished with the same brush. This negative image of landlords seems to inform and predispose the policy decisions and actions of many local authorities in how they target their resources in respect of noise and housing enforcement.

This is illustrated in part by the process used by local authorities to consult with local communities on Selective Licensing. An example is the Sheffield City questionnaire aimed at private tenants and residents, as part of a consultation about Selective Licensing, which seeks to make questionable correlations between the issues of noise, ASB, and private renting.

Question 14 asks respondents to rate issues such as noise, litter drug dealing, and '*People not treating others with consideration'* on a scale of 1-10. Question 15 asks respondents if they feel safe in their homes and area. Questions 16 asks if respondents have *'ever been a victim or witness of any anti-social behaviour in the area'.* The question does not seek to establish if the anti-social behaviour (which could include noise) from those living in the area, or whether the respondent is

aware of the identity or residential status (owner occupier, landlord social/private tenant) of those carrying out the anti-social behaviour.

Question 17 suddenly introduces the issue of ASB in relation to private tenants and landlords. There is no context or explanation for what would be defined as ASB and or details of any existing evidence/data for noise and ASB from private sector rented properties.

Sheffield is not alone in the way that it garners opinions for the implementation of Selective Licensing. Other Councils such as the London Borough of Waltham Forest Middlesbrough and many others adopt a similar format.

Noisedirect's examination of the Annual CIEH Noise 2013-14 survey found that there is no data recorded nationally for noise complaints from rental properties and in fact that nationally *all* noise complaints were down by 25% compared to 2012-13.

The evidence for existing private sector long term rentals with 6 month or longer ASTs giving rise to ASB and noise is nebulous at best. Public policy needs to be based on robust evidence and not ambiguous or anecdotal views The only category which provides some limited evidence of rented properties and noise complaints nationally is the category relating to complaints about Hostels, HMO's and Boarding Schools. But here again the figure of 2,244 complaints for 2013-14 shows a decrease of almost 46% (compared to 4,152 in 2012-13).

Noisedirect's view is that de-regulation of short term Lets (through Clause 33 of the Deregulation Act 2015) is therefore unlikely to cause any significant increase in noise complaints or result in increased enforcement activity by Councils.

In fact, Noisedirect's analysis of the CIEH Annual Noise Survey 2013-14 found that in total Councils only served 2,251 abatement notices nationally under section 80 of the Environmental Protection Act 1990.

Noisedirect also found that prosecutions decreased by 70% and convictions secured by Councils in 2013-2014 decreased by 64.9%. Nationally, merely 5 fixed penalty notices were served under the Noise Act 1996. And just 6 fixed penalty notices were served in London under Section 80(4A) of the Environmental Protection Act 1990.

Noisedirect is the UK's first independent, National Noise Service providing advice and noise services nationwide. Noisedirect operates 10.00-16.00 hours Monday to Friday with the option of weekend, Bank Holiday, and evening appointments. Callers, whether noise makers or sufferers, can discuss any noise issue under a fixed fee of £39 (plus VAT) for a 30 minute consultation and speak with a qualified and experienced Environmental Health Practitioner by phoning a low cost national number (0207 183 1184 or 08453 31 32 30). Noisedirect Experts can carry out nuisance and acoustic assessments and regularly appear in Magistrates', County Court cases and appeals and cases listed for hearing in the High Court. Noisedirect seeks to dispel noise myths and promote **#NoiseJustice**: a belief that everyone deserves to live peacefully and quietly in a safe secure home. **#WagingPeace** www.noisedirect.co.uk

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