

Committee(s):	Date(s):
Port Health and Environmental Services Committee	2 July 2013
Subject: Noise Service Delivery Policy/Noise Complaint Policy	Public
Report of: Director of Markets and Consumer Protection	For Decision
<p><u>Summary</u></p> <p>The 'City of London Noise Strategy 2012 – 16' outlines a range of policies and actions to address noise issues including the City's service for responding to noise complaints and incidents.</p> <p>The City receives over 2000 noise related requests each year for service, such as planning, licensing and streetworks applications, as well as complaints about the impact of noise happening either at the time, regular intervals or sporadically.</p> <p>The processes involved in dealing with these matters have always been determined by officers using their judgement case by case. However, it is important that the policy principles upon which they act are the subject of scrutiny and agreement of Committee Members, so a policy has been drafted concerning the way in which noise complaints should be handled.</p> <p>Recommendations</p> <p>It is recommended that</p> <ul style="list-style-type: none"> • Members consider and agree the proposed policy document set out in Appendix 1 taking account of points arising from the discussion of this report at Committee. • Members agree the continuance of the trial shared noise service with Westminster City Council to March 2014 	

Main Report

Background

1. The City Corporation provides a dedicated noise response service via the Pollution Control Team to investigate and resolve justifiable noise complaints, including a rapid response and an 'out of hours' service to deal with complaints requiring urgent action.
2. In order to provide clarity and consistency of the approach taken by the Officers that deal with these complaints, it was considered sensible to ensure their working practices and priorities are agreed by your Committee and are then made available to users of the service to ensure the transparency of our approach.
3. The 'City of London Noise Strategy 2012 – 16' outlines a range of policies and actions to address noise issues including the City's service for responding to noise complaints and incidents. The service has evolved in response to changing demands, legislation, expectations and resources and therefore the Noise Strategy commits the service to reviewing, updating and consolidation of service delivery policies and procedures. This report introduces the noise service delivery policy and an on-going trial for delivering the service out of normal office hours.

Current Position

4. Noise is part of the everyday experience for residents, workers and visitors to the City of London. For some people noise can be invigorating and an essential element of a lively City. However, it can also be a source of annoyance and disturbance affecting people's health and well-being.
5. Considerable work is undertaken by the Pollution Control Team in examining planning and licensing applications, recommending conditions, reviewing technical submissions, as well as liaison with development sites and street work utilities in an effort to stop or mitigate the potential for noise impacts in the City. In 2012/13 1512 service requests were received for these actions in dealing proactively with the impact of noise in the City.
6. Despite these preventative measures the Pollution Control Team received 1047 noise complaints in 2012/13.
7. The City Corporation has a statutory obligation to investigate complaints of excessive noise. Similarly Part 3 of the Environmental Protection Act 1990 allows the City to serve notices on persons responsible for causing a list of statutory nuisances to stop these or prevent them from re-occurring as far as is practicable. It also has an obligation to use its functions as a planning authority to minimise noise from new developments, and as a licensing authority to minimise noise from entertainment.
8. Much of the enforcement activity carried out is informal as this is much quicker most efficient and effective in providing solutions to noise concerns raised with us for most problems.
9. In January this year the Chairman and Deputy Chairman agreed, as a matter of urgency, to a service level agreement with Westminster City Council for the City Corporation to share their Noise service for a trial period of three months. This was to provide service for noise complaints received and ensure there was qualified officers available to respond to noise complaints after normal office hours on a 24/7 basis.
10. At the same time the capability of the City's Street Enforcement Officers (SEO's) who are also available at night and weekends is being reviewed and steps are being taken to enhance their qualifications and experience in dealing with noise matters.
11. The trial period has been extended to July 2013 but so far it has been very quiet with relatively few complaints received. Although the experience of the service from Westminster has been good so far it is intended to extend the pilot period to March 2014. This will provide a better trial of the service, give time to enhance the capability of SEO's and consider the best way for the City to structure this enhanced service provision for noise complaints occurring at night and weekends.
12. Officers deal with noise matters on a case by case basis using current legislation and guidance produced by government and industry best practice, including the City's own Code of Practice for Deconstruction and Construction agreed at your Committee on 30 April 2013. This has now been set out in a policy document which includes the legal framework, response times and setting of priorities; the Noise Service Delivery Policy/Noise Complaint Policy (Appendix 1). Your Committee's views and subsequent agreement concerning the document are sought so that there is a formally approved policy for the way in which the City Corporation responds to noise complaints.

Proposals

13. I propose that the attached Noise Service Delivery Policy/Noise Complaint Policy is published, subject to any amendments agreed by Members at your Committee meeting.

14. The trial period for the shared Noise service provided by Westminster be extended to March 2014.

Corporate & Strategic Implications

15. The control of environmental impact from noise fits with one of the City Corporation's three aims of the Corporate Plan 2012 – 2016 in that it seeks to evolve a service 'to provide modern, efficient and high quality local services and policing within the Square Mile for workers, residents and visitors with a view to delivering sustainable outcomes'. It also meets one of the five key policy priorities KPP2 in that it seeks to 'maintain the quality of our services whilst (reducing our expenditure and) improving our efficiency'.

Implications

16. The work undertaken in carrying out this work is expected to remain within the existing budgets of the Markets and Consumer Protection Department.

Conclusion

17. The principles and processes involved with responding to noise issues are set out in the policy document in Appendix 1 and form the basis for agreement by Committee Members and on-going implementation by City Officers for the protection of the acoustic environment of people within the City.

Background Papers:

The City of London Noise Strategy 2012 – 2016; May 2012 Port Health and Environmental Services Committee

Appendices

Appendix 1 Noise Service Delivery Policy/Noise Complaint Policy

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