

How we investigate nuisance complaints

HOW IS YOUR NUISANCE COMPLAINT DEALT WITH?

- Officers assess the information you have supplied, and contact you to obtain additional information if necessary.
- As the complainant, usually you will be sent diary sheets to record how the alleged problem is affecting you. We usually ask you to keep these diary sheets for two to four weeks and then return them to the officer investigating the case.
- We'll write to the subject of the complaint informing them a complaint has been made against them, with information about the nature of the alleged problem, and asking them to contact us to discuss the case.
- Your complaint details are held in confidence and not supplied to the subject. (Please note: Should the case end up in court, your details may need to be released and you may need to give evidence).
- If no diary sheets are returned by the complainant, the complaint will simply be closed with four weeks of its receipt date. The council will take no further action.
- Once you return your diary sheets, the investigating officer will assess them to see if the alleged problem is something we take further and/or resolve (for example is it a statutory nuisance?). We'll inform you whether we are able to proceed with the case. Please note, you will need to continue keeping diary sheets throughout our investigation.
- If your case is investigated further, officers will need to witness the problem in person or through the installation of recording equipment (if the complaint relates to a noise problem).
- Once the alleged problem has been witnessed, the council has a duty to serve an Abatement Notice on the person causing the problem. This is a legal document giving them a specific amount of time to resolve the problem. Being a legal notice; any breaches could result in the subject going to court and being fined (up to £5000 for a person and up to £20,000 for a business).

ARE YOU THE SUBJECT OF A NUISANCE COMPLAINT?

- If you are contacted by the council about an alleged problem being caused by yourself, we recommend the following steps:
- Consider the content of the letter and the alleged problem you are causing. If you feel the complaints are justified, we recommend you change your behaviour accordingly.
- Contact the council officer who has written to you and discuss the case, they may have some useful advice to help you resolve the problem informally. Some useful advice may also be found on our website.

- Do not ignore the allegation or problem, because if it is substantiated, this could result in you having an Abatement Notice served against you. This is a legal notice, and if breached could result in you going to court and being fined (up to £5000 for a person or £20,000 for a business).