**BUCKINGHAMSHIRE COUNCIL**

**NOISE NUISANCE DIARY**

Council Information

 Dealt with by:

 Ref:

**NOISE RECORD NOTES – PLEASE READ CAREFULLY.**

1. This record is necessary for the investigation of your noise complaint and must be an accurate account of the nuisance disturbing you. All entries must be precise and signed as this record may be used as evidence if legal proceedings are taken in the future.

**Please only record the incidents that you consider unreasonable.**

1. Any adult staying in your house that is disturbed by the noise may fill in a diary sheet. The diary is **your own** personal record of what you experience. You cannot write down something that other people (including your wife, husband or partner) have witnessed. **They must record it in their own diary.** You should fill in the diary **as soon as possible** after the incident has happened.
2. Ensure you complete the top of the form with your name, address and telephone number. Please return the completed form to envhealth.csb@buckinghamshire.gov.uk or Environmental Health Dept. King George V House. King George V Road. Amersham. Bucks. HP6 5AW
3. If you have an Apple or Android smartphone or tablet, you can use The Noise App to record the noise disturbing you. To download the app you can either go to the “App Store” for iPhone users or the “Play Store” for Android users. Search for “The Noise App” and click “Get” or “Install” to download the app or click [www.thenoiseapp.com](http://www.thenoiseapp.com)

**NOTES FOR FILLING IN THE COLUMNS**

1. DAY AND NIGHT – Ensure that the day and full date, including the year, are put in this column.
2. TIME OF DAY NOISE STARTED AND STOPS– It is important that the times are specific. IE. 09:55 until 10:20. Avoid using approximate times. Also please state whether it is am or pm or you can use the 24hr clock.
3. LOCATION AND TYPE OF NOISE – State what the noise is and where it is coming from e.g. amplified music from the front first floor bedroom. If you can identify the song/artist then provide this information.
4. DESCRIPTION OF HOW THE NOISE AFFECTS YOU – You should state how the noise is affecting your normal life and the impact on you in your home.

The following is the statutory nuisance criteria that the investigating officer will consider when assessing your complaint

1. *Disturbance* - the noise must interfere with your enjoyment of living in your home, for example by preventing you sleeping or stopping you reading.
2. *Loudness* - the louder the noise the more likely it is to be a nuisance.
3. *Length of time (Duration)* - the longer the noise goes on for the more likely it is to be a nuisance.
4. *Occurrence (Frequency)* - the more often the noise occurs the more likely it is to be a nuisance.
5. *Time of day* - noise which is not a nuisance during the day may be a nuisance if it occurs at night.
6. *Type of noise* - the more annoying the type of noise the more likely it is to be a nuisance.
7. *Locality -* The law of nuisance states that people living in different areas, e.g. town and country, can expect to hear different types and different levels of noise.
8. *Average person* - the law considers an average person when deciding if a nuisance is occurring. If you have above average sensitivity to noise then this cannot be taken into account.

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| **DAY AND DATE****(NOTE A)** | **TIME OF DAY NOISE STARTED****(NOTE B)** | **TIME OF DAY NOISE STOPPED** **(NOTE B)** | **ROOM AFFECTED IN YOUR HOME AND TYPE OF NOISE** **(NOTE C)** | **DESCRIPTION OF HOW THE NOISE** **AFFECTS YOU (NOTE D)** |
| **FOR EXAMPLE**Wednesday23rd November 2016 | 22.45  | 00.30 | Bedroom. Loud music being played. Robbie Williams singing Angels over and over again. | I was sleeping and it woke me up. I was not able to get back to sleep until it stopped. |

**Statement of Witness**

(Criminal Justices Act 1967 s9; Magistrates Court Act s102; Magistrates Court Rules 1981 s70)

Our Ref:

Your Name:

Your Address:

Age (if over 18 state ‘over 18’):

**Alleged Source of Nuisance**

Name (if known):

Address:

This statement consisting of ………. pages is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true. I understand that this evidence may be provided to the defendant and that if the matter goes to court, I may be required to attend court to give evidence.

**Signed …………………………………………………………… Date …………………………………………………………….**

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| **Day and date****(Note A)** | **Time of day noise started****(Note B)** | **Time of day noise stopped** **(Note B)** | **Room affected in your home and type of noise (Note C)** | **Description of how the noise affects you (Note D)** |
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CONTINUATION OF STATEMENT OF ………………………………………………………………………………

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| **Day and date****(Note A)** | **Time of day noise started****(Note B)** | **Time of day noise stopped** **(Note B)** | **Room affected in your home and type of noise (Note C)** | **Description of how the noise affects you (Note D)** |
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| **Day and date****(Note A)** | **Time of day noise started****(Note B)** | **Time of day noise stopped** **(Note B)** | **Room affected in your home and type of noise (Note C)** | **Description of how the noise affects you (Note D)** |
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