

QUARTERLY NOISE COMPLAINTS UPDATE

Executive Summary

The Overview and Scrutiny Committee considered a Notice of Motion at its meeting on 7 June, whereby a decision was made to adopt changes to Environmental Health's reporting procedures with regards to construction noise complaints and applications for Prior Consent Notices.

It was agreed that Ward Councillors would be consulted on applications for Prior Consent Notice for noisy works outside of the permitted hours and that a quarterly report be prepared and submitted to the Overview and Scrutiny Committee providing details of noise complaints received.

This report sets out the number of noise and dust complaints that the Council's Environmental Health service received per quarter since Jun 2021. It also summarises the number of applications for Prior Consent Notices received and total consultations to have taken place with Ward Cllrs within this time.

Recommendations

:

RESOLVE That: The report be received and noted.

The Committee has the authority to determine the recommendation(s) set out above.

Background Papers:	Notice of Motion Supplementary Report
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1.0 Introduction

- 1.1 At its meeting on 11 February 2021, the Council referred a Notice of Motion submitted by Councillor Lyons, which dealt with the limitation on noise from construction sites, to the Executive.
- 1.2 The Executive considered the Motion at its meeting on 25 March 2021 and recommended to Council that the Motion be not supported.
- 1.3 At Council on 8 April 2021, it was resolved that the Motion be deferred to enable it to be considered by the Overview and Scrutiny Committee at its meeting on 7 June 2021, and the Executive at its meeting on 17 June 2021, with a view to the matter being brought back to Council in July 2021.
- 1.4 The Overview and Scrutiny Committee considered the Motion at its meeting again on 7 June 2021. The views of the Committee were of such that the existing process is fit for purpose, but that additional steps could be taken by Environmental Health to consolidate existing arrangements; including consulting with Ward Councillors on applications for Prior Consent, improving communication with residents and presenting a quarterly report to the Overview and Scrutiny Committee providing details of noise complaints received.
- 1.5 These recommendations were reported to the Executive on 17 June 2021 and approved.

2.0 Complaints Data

- 2.1 Since the implementation of the new reporting requirements, Environmental Health provided a detailed analysis of the first quarter results by email to Councillor Sanderson on 24 August 2021. The results were backdated to 1 January 2020 and therefore covered a 19 month period. Over this time, a total of 194 noise complaints were made between 1 January 2022 and 18 August 2021, half of which (68) were residential and 39 of which related to noisy town centre works. Only 16 dust complaints were received in total and 20 Section 61 Prior Consent Notices were issued. At this point in time, Councillors had only been consulted on the 3 applications which came in between June and August 2021. See [Appendix 1] for the number of complaints and notices broken down by quarter, [Appendix 2] for the breakdown of complaints received and [Appendix 3] for the report sent to Cllr Sanderson.
- 2.2 A log of all noise complaints and Prior Consent Notices issued is maintained by the Environmental Health Service and updated on a regular basis. The figures for 2021 can be found attached in [Appendix 1 and 2]
- 2.3 The data contains all noise and dust pollution complaints made to the Environmental Health service, broken down by quarter and complaint type. The data captured is a record of every complaint made under the category of construction noise / plant & machinery noise and therefore includes various one-off complaints that have either not been substantiated or have not required any further investigation by Environmental Health, for instance emergency highways/ gas works, or cases where diary sheets have not been returned by the complainant.
- 2.4 102 complaints were received in total throughout 2021 under the category of plant and machinery noise. 31 of those were domestic noise complaints (primarily neighbours complaining about noise from house renovations), 25 were complaints about noise from Town Centre construction works, 3 related to other Council developments (namely Wells Court and Hale End), 10 were noise complaints about the Sheerwater development site, 10 were complaints about general noise from some of the 'light industrial' categorised sites in the Borough and 33 were from works carried out by other agencies or commercial companies (SCC, housing developments outside of the Town Centre, leisure and educational

establishments undergoing works and suspected noise from works to the railway line, to name a few).

- 2.5 Environmental Health received significantly less dust complaints in 2021, compared to 2020. There were only 7 complaints in total, 3 of which related to the Days Aggregates yard. Officers have engaged in regular monitoring visits and discussions with the Management team of Day Aggregates this year to improve their processes and ensure Best Practicable Means are being applied at all times.
- 2.6 A full breakdown of the complaints made to this service can be found on the second tab of Appendix 1.

3.0 Prior Consent Notices

- 3.1 The total number of Prior Consent Notices (PCNs) that Environmental Health have issued for out of hours noisy works, granted to take place outside of the permitted hours of 8am – 6pm Mon to Fri and 8am – 1pm on Saturdays, are listed in Appendix 1.
- 3.2 In 2020, 18 Prior Consent Notices were issued and a total of 2 section 60 Notices were served for breaches to these regulations.
- 3.3 In 2021, 19 Prior Consent Notices were issued and 4 section 60 Notices were served. So far this year (2022), we have served 2 Prior Consent Notices.
- 3.4 Since June, when the Council introduced a consultation period with Councillors on PCN applications, 12 applications have been shared with Councillors for comment. In addition, Councillors have also been notified of other emergency works and / or extensions to existing prior consent notices, to ensure residents and Councillors alike, are provided with prior notification and are still given the opportunity to comment.
- 3.5 Delegated Authority Forms are completed for all Notices issued to ensure the information is readily available for the public to view on the Woking Borough Council website.

4.0 Corporate Strategy

- 4.1 The additional measures arising from this report will support delivery of the corporate plan objectives for sustainable development and a strong economy whilst increasing transparency for residents.
- 4.2 Other corporate priorities, as outlined in the Corporate Strategy, have been met through engagement and consultation improvements by subsequently improving communication, rapport and the health and wellbeing of Borough residents.

5.0 Implications

Finance and Risk

- 5.1 There are no financial implications arising from this report.
- 5.2 There are no risk management issues arising from this report.

Equalities and Human Resources

- 5.3 No human resource or training and development issues are arising from this paper.

Legal

5.4 Environmental Health have undertaken the necessary statutory, procedural and policy steps available to the Council and there are no legal implications which arise from this report.

6.0 Engagement and Consultation

6.1 The Council's Portfolio Holder, Councillor Kevin Davis, and professional environmental health bodies have been engaged in the preparation of this report.

6.2 The Chairman of the Overview and Scrutiny Committee was consulted in the preparation of this report.

REPORT ENDS