

QUARTERLY NOISE COMPLAINTS UPDATE

Executive Summary

The Overview and Scrutiny Committee considered a Notice of Motion at its meeting on 7 June 2021, 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 June 2021. It also summarises the number of applications for Prior Consent Notices received and total consultations to have taken place with Ward Councillors within this time.

It is proposed that this report is submitted every 6 months, rather than quarterly, going forward, to provide a better overview of trends and complaint numbers.

Recommendations

The Committee is requested to:

RESOLVE That

- (i) the report be received; and
- (ii) the information presented in this report be considered as part of the wider Performance and Financial Monitoring Review and until agreed otherwise be submitted every 6 months rather than quarterly.

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

Background Papers:	OSC21-016 Pre-scrutiny on EXE21-050 – Councillor L Lyons – Construction Site Noise Limits, received by O&S Committee on 7 July 2021.
Reporting Person:	Giorgio Framalico, Strategic Director - Place Email: giorgio.framalico@woking.gov.uk, Extn: 3440
Contact Person:	Emma Bourne, Environmental Health Manager Email: emma.bourne@woking.gov.uk, Extn: 3654
Portfolio Holder:	Councillor Liam Lyons Email: cllrliam.lyons@woking.gov.uk
Shadow Portfolio Holder:	Councillor Gary Elson Email: cllrgary.elson@woking.gov.uk

Quarterly Noise Complaints Update

Date Published: 1 July 2022

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 have provided The Committee with a detailed overview and analysis of complaints data relating to construction and plant noise, backdated to 1 January 2020.
- 2.2 The data provided contains all noise and dust pollution complaints made to Environmental Health, 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. It is therefore worth noting that one-off complaints that have either not been substantiated, or have not required any further investigation, will also be captured in these figures.
- 2.3 A record of all noise and dust complaints received, along with a log of Section 60 and 61 Notices issued, is maintained by the Environmental Health Service, and updated on a regular basis. A breakdown of the figures can be found attached in [Appendix 1 and 2].
- 2.4 In summary, 102 complaints were made in 2021, 19 Prior Consent Notices were issued to contractors for out of hours working and 4 Section 60 Notices were issued, imposing noise control requirements on contractors found to be working out of hours, without a Section 61 Agreement in place. 31 of the complaints made in 2021 were domestic noise complaints (primarily neighbours complaining about noise from house renovations), 25 were complaints about noise from Town Centre construction, 3 related to other Council developments (namely Wells Court and Hale End) and 10 were about the Sheerwater development. There were 7 dust complaints in total, 3 of which related to the Days Aggregates yard.
- 2.5 37 noise complaints have been received between 1 January and 24 June 2022. 20 of those were residential/ domestic noise complaints about building works to properties and 12 were about noise from the Town Centre. At least 2 of the Town Centre complaints were new retail units being put in, another 2 were emergency works, and one complaint was made prior to any works commencing. The remaining 5 noise complaints were one-off complaints about Total Concrete, SCC Emergency works, the Sheerwater Development site, Days Aggregates and Worplesdon Golf Club, all of which were rectified by an approach from an Officer from Environmental Health.

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.
- 3.4 Since the start of the year, and up to 24 June 2022, 10 Prior Consent Notices have been issued and 2 Section 60 Notices have been served so far.
- 3.5 Ward Councillors have now been consulted on 19 applications for prior consent, in addition to being notified of other statutory/ emergency works when Environmental Health are made aware of them. Only 1 representation has been made in this time, regarding an application for Town Centre works.
- 3.6 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.
- 3.7 It would also be appropriate to consider how best to present numbers of noise and dust complaints, and PCNs served, to members as part of the Performance and Financial Monitoring Review.

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 or risk management issues arising from this report.

Equalities and Human Resources

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

Legal

- 5.3 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 Lyons, and professional environmental health bodies have been engaged in the preparation of this report.

Quarterly Noise Complaints Update

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

REPORT ENDS