

Title of Committee Overview and Scrutiny
Date of meeting 9th February 2021

Title: Noise Complaints

Lead Officer: Andrew Hill (Safer Communities Manager)

Portfolio Holder: Judith Falp

Wards of the District directly affected: All

Contrary to the policy framework: No

Contrary to the budgetary framework: No

Key Decision: No

Included within the Forward Plan: No

Equality Impact Assessment Undertaken: No

Consultation & Community Engagement: None

Final Decision: n/a

Accessibility checked: Yes

Officer/Councillor Approval

Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	29/01/2021	Andrew Jones
Head of Service	29/01/2021	Marianne Rolfe
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)	29/01/2021	Judith Falp

Update on Noise Complaints

1.0 Background

1.1 Warwick Council's Overview and Scrutiny Committee received a briefing note in relation to noise in December 2020 and requested a further update. This briefing note will provide an update and it has also been agreed that a report will be presented to the Committee later in the year.

1.2 The previous briefing note detailed the legislation used and what the Council are legally required to undertake, as follows

"The Council's duty

What the law says in terms of investigation requirements of local authorities under the EPA 1990:

- "...it shall be the duty of every local authority to cause its area to be inspected from time to time to detect any statutory nuisances which ought to be dealt with under section 80 below and, where a complaint of a statutory nuisance is made to it by a person living within its area, to take such steps as are reasonably practicable to investigate the complaint."
- When satisfied that a statutory nuisance exists or is likely to occur or recur, to serve an abatement notice on the person responsible."

1.3 The note also discussed routine and current Covid service delivery, with complaint numbers and performance indicators also detailed. It is clear that none of this has changed and the team is still stretched. The final part of the note detailed the steps being taken to mitigate the restrictions and pressures on the service (which were detailed in the note).

2.0 Update

2.1 The following is an update on those steps with additional supplementary information as well.

What is being done to mitigate this?

- We have offered the existing vacancy currently held in the team to a candidate interviewed on 12/11/20. The starting date of the new post holder will be confirmed in due course and following their acceptance.
- This applicant is an internal applicant and if accepted this will result in an additional vacancy. This new vacancy places further pressure on the start of the nuisance investigation process and support services for the entire team so needs to be carefully managed.
Update – Both posts are filled and commenced at the start of February.
- We have begun the recruitment process for an additional temporary post to help support the team through this period of increased workloads.
Update – Recruitment to this post was unsuccessful and it requires re-advertisement.
- Risk Assessments are continually being reviewed in light of the Covid-19 risks. The current draft is under discussion with Public Health in addition to internal health and safety colleagues.
Update – Risk Assessments are regularly reviewed, but have not altered in relation to officers undertaking home visits.
- Work is ongoing with HR regarding vulnerable members of staff and the specific controls for their protection.
Update – The necessary controls are still in place.
- We are in the process of trialling a Noise monitoring app for smart phones which will gather recordings in a manner that provides information which can be used to digitise noise diaries and replace the suspended use of the Matron noise monitoring equipment. Should this trial be successful have funding allocated to purchase the application for a full year in order to robustly trial it across the two service areas.
Update – Officers now have access to a test account and are actively trialling the App. In the week beginning 8th February, the trial is set to be expanded to Councillors involved with the Project Advisory Board and some

high priority complainants. The trial is set for 6 weeks and to date is on schedule and promoting positive feedback from the Officers involved.

- Complainants are still required to co-operate with the investigation, providing witness statements and attending in court if required.
Update – This is still necessary, however, it is hoped that the use of the Noise App will assist complainants to engage and provide appropriate evidence.
- Officers are continuing to conduct visits to assess noise levels from safe locations (gardens/roads) but if safe to do so and following a dynamic Risk assessment may be able to enter a property for a limited time if it is covid safe, a questionnaire has been devised for officers to use when considering personal safety and the safety of the house holders.
Update – This precautionary approach is still appropriate to protect officers catching Covid from, or spreading Covid to, our service customers.
- The Standard Operating Procedure between HCP & Housing for dealing with Noise complainants remains in progress. The speed of development remains reliant on capacity of both services.
Update – This is still in progress. Officers from Housing will also be encouraged to review the use of the App to assess if it can assist them with complaint resolution.
- All complaints are assessed on a case by case basis in order to identify if there are any alternative actions available to assist in resolving the complaint.
Update – All options for complaint resolution are always considered.

2.2 Supplementary update

- An experienced Safer Communities Manager has been appointed on a six-month contract to assist with the strategic leadership of the team and to review practices and ensure a robust trial of the Noise App is completed.
- A preliminary review of procedures and practices has commenced and a joint project with the Council's Transformation team is underway. The aim is to improve the complaint procedure for officers and residents by streamlining and modernising it.
- The established "Night Noise Service" is still not operating and will be further reviewed at a later date.