

CIEH Noise Survey 2019/20

Report on findings – Wales

Chartered Institute of
Environmental Health



Sefydliad Siartredig
Iechyd yr Amgylchedd



About the Chartered Institute of Environmental Health (CIEH)

The Chartered Institute of Environmental Health (CIEH) is a membership and awarding body for the environmental health sector, and the professional voice for environmental health representing over 7,000 members working in the public, private and third sectors, in 52 countries around the world. It ensures the highest standards of professional competence in its members, in the belief that through environmental health action people's health can be improved.

Environmental health has an important, and unique, contribution to make to improving public health and reducing health inequalities. CIEH campaigns to ensure that government policy addresses the needs of communities and business in achieving and maintaining improvements to health and health protection.



Overview

Noise, meaning unwanted or harmful sound, has a significant impact on the well-being of citizens.

Local authorities play a key role in controlling noise, through receiving and resolving complaints. It is largely environmental health professionals who undertake this work. The Environmental Protection Act 1990 places a duty on local authorities to investigate noise complaints.¹ They consider the type of noise, how loud it is, how often and what time it occurs. If they are satisfied the noise amounts to a statutory nuisance, or is likely to occur or recur, they must issue an abatement notice, prohibiting or restricting its occurrence or recurrence.

Many noise complaints are resolved informally, without the need for formal enforcement action by the local authority. For noise to be a statutory nuisance, it must 'unreasonably and substantially interfere with the use or enjoyment of a home or other premises' or 'injure health or be likely to injure health'.

Failure to comply with a noise abatement notice may result in prosecution and an unlimited fine, with further fines for each day the notice is not complied with.

Further powers are available to local authorities to deal with noise:

- The Clean Neighbourhoods and Environment Act 2005 enables local authorities to designate alarm notification areas to deal with noise from intruder alarms.²
- The Fireworks Regulations 2004 prohibit the use of fireworks at night (11pm - 7am). There are extensions for Bonfire Night, Chinese New Year, Diwali and New Years Eve.³
- The Anti-Social Behaviour, Crime and Policing Act 2014 provides noise powers, including civil injunctions, community protection notices and public spaces protection orders.⁴
- The Noise and Statutory Nuisance Act 1993 provides local authorities with powers to deal with noise in a street, loudspeakers and audible intruder alarms.⁵
- The Noise Act 1996 aims to deal with excessive night noise from licensed premises or residential dwellings between 11pm and 7am.⁶ Officers may enter premises where there is noise beyond prescribed levels, and remove noise making equipment.
- The Control of Pollution Act 1974 enables local authorities to control noise from construction and engineering works and from loudspeakers.⁷

Local authorities also take preventative measures to control noise, for example, through planning and licensing controls.

The Welsh Government recognises that creating healthy acoustic environments is more than simply the absence of unwanted sound, and that noise management must have a broader focus than simply clamping down on the decibels. They have set out their commitment to creating appropriate soundscapes, meaning the right acoustic environment in the right time and place. The Noise and Soundscape Action Plan 2018-2023 is the central noise policy document in Wales.⁸ It states the Welsh Government's expectation that public bodies subject to



the Well-Being of Future Generations (Wales) Act 2015 ⁹ should follow the five ways of working set out in that Act when carrying out noise and soundscape management. This means:

- Pursuing long-term, enduring solutions to any existing instances of noise nuisance;
- Seeking to manage noise and soundscapes at the same time as achieving other, related outcomes;
- Taking opportunities to talk to the public about the challenges associated with exposure to noise and unhealthy soundscapes, listen to their concerns and seek their views on potential solutions and their involvement in delivering them;
- Working actively with internal and external partners to mutual benefit in the delivery of desired outcomes; and
- Keeping exposure to noise (that is, unwanted or harmful sound) as low as reasonably practicable across the whole of the population, looking out in particular for areas where noise levels might qualify as a statutory nuisance or noise action planning priority area, or where public amenity might be adversely affected by noise at some point in the future, and acting pre-emptively to prevent those things from happening.

Health effects of noise

The negative impact of noise on people mostly takes the forms of annoyance and sleep disturbance. Sleep disturbance is one of the most harmful effects of environmental noise exposure. Sufficient undisturbed sleep is necessary for daytime alertness and performance, quality of life, and health. The short-term effects of noise-induced sleep disturbance include impaired mood, increased daytime sleepiness and impaired cognitive performance.¹⁰

Environmental noise has been ranked by the World Health Organization (WHO) as the second biggest environmental contributor to the burden of disease in Europe after air pollution, and in 2011 they published *Burden of disease from environmental noise: Quantification of healthy life years lost in Europe*.¹¹ The report estimates that at least one million healthy life years are lost every year from environmental noise in the western part of Europe. In Wales, noise maps produced by the Welsh Government suggest that the homes of more than 200,000 people are exposed to road traffic noise levels exceeding the **WHO's 2009 night noise guidelines**.¹²

Aircraft noise is linked to an increased risk of cardiovascular disease, including stroke and diabetes mellitus, and to an increased risk of hospital admission and mortality.¹³ There is also evidence that road traffic noise is linked to an increased risk of hypertension and a small but consistent risk of coronary heart disease.¹³ However, it should be noted that EHPs do not have powers to deal with complaints about aircraft or road traffic noise. These complaints are referred to the relevant airport or Highway Authority.

With 24% of people in Wales reporting that they are regularly bothered by noise from outside their homes, some groups are more sensitive and vulnerable to noise, including chronically ill and elderly people, children and nightshift workers.¹⁴

The Chief Medical Officer for Wales' annual report 2016/17 highlights local noise pollution as an environmental health inequality and states that investment in environmental public health surveillance can help to shape priorities for future action and facilitate joined-up working to protect and improve the health of current and future generations.¹⁵

About the Survey

The CIEH Noise survey provides the only source of data on the vital contribution made by environmental health professionals working to resolve noise complaints in England and Wales. CIEH has been running its noise survey since 2000. *Northern Ireland and Scotland have separate arrangements in place to quantify the demand for local authority noise services.

Methodology

The 2019/20 CIEH Noise Survey collected data from local authorities in England and Wales. All 22 local authorities in Wales responded to the survey.

Data collected from local authorities included:

- Number of noise complaints received
- Source of noise complaints
- Number of notices served
- Number of prosecutions
- Number of staff allocated to noise related work
- Other formal action taken in response to complaints

Local authorities were also asked whether they:

- Use the **Noise App**
- Use a **MATRON** noise monitoring device
- Have arrangements in place to respond to noise complaints out of office hours

This report presents the findings for Wales. The findings for England were published separately and are available [here](#).

* We did not collect data for the years 2016/17 and 2017/18 as we worked to improve the method of data collection

Key findings

These figures represent data from all 22 local authorities in Wales for the year 2019/20.

- In total **20,445** noise complaints were received by local authorities in Wales, 65 complaints for every 10,000 population. This is a 10% increase on the 18,567 complaints received in 2018/19
- The number of noise complaints ranged from 10 per 10,000 population on the Isle of Anglesey to 177 per 10,000 population in Swansea
- In respect of formal action, **323** notices were served (by 20 local authorities) under the Environmental Protection Act to deal with noise amounting to a statutory nuisance. Formal action was taken under other legislation to deal with noise in 22 cases (by five local authorities)
- Five simple cautions were issued in response to noise
- There were **34** noise-related prosecutions (eight local authorities)
- In total there were **72** officers involved in noise work although most undertook other duties in addition to controlling noise
- All but two local authorities reported that they were using the Noise App and all but one local authority were using Matron monitoring equipment to assist with noise investigations
- Eleven out of 22 local authorities have arrangements in place to respond to noise complaints out of office hours.

Table of results

Local authority	Total population (Mid-year estimate 2019) ¹⁶	Total number of noise complaints	Number of noise complaints per 10,000 population	Number noise abatement notices served under EPA 1990	Total number of prosecutions (noise)	Number of staff allocated to noise**
Blaenau Gwent County Borough Council	69,862	373	53	3	0	1
Bridgend County Borough Council	147,049	803	55	9	3	2.5
Caerphilly County Borough Council	181,075	1,463	81	7	0	6
Carmarthenshire County Council	188,771	1,300	69	2	0	4.5
Ceredigion County Council	72,695	233	32	0	0	2
City and County of Swansea	246,993	4,368	177	76	12	5
City of Cardiff Council	366,903	3,038	83	111	11	6.5
Conwy County Borough Council	117,203	460	39	15	1	2
Denbighshire County Council	95,696	351	37	6	0	2.5
Flintshire County Council	156,100	432	28	8	1	2.5
Gwynedd Council	124,560	499	40	1	0	6
Isle of Anglesey County Council	70,043	67	10	1	0	2.5
Merthyr Tydfil County Borough Council	60,326	264	44	0	0	0.25
Monmouthshire County Council	94,590	374	40	1	0	5.9



Local authority	Total population (Mid-year estimate 2019) ¹⁶	Total number of noise complaints	Number of noise complaints per 10,000 population	Number noise abatement notices served under EPA 1990	Total number of prosecutions (noise)	Number of staff allocated to noise**
Neath Port Talbot Council	143,315	800	56	19	0	3
Newport City Council	154,676	2,181	141	25	0	2.5
Pembrokeshire County Council	125,818	485	39	11	2	2.5
Powys County Council	132,435	433	33	1	0	5
Rhondda Cynon Taf County Borough Council	241,264	1,270	53	4	0	4.7
Torfaen County Borough Council	93,961	241	26	3	1	1
Vale of Glamorgan Council	133,587	502	38	11	3	1.5
Wrexham County Borough Council	135,957	508	37	9	0	3

** It should be noted that staff deal with other issues in addition to noise

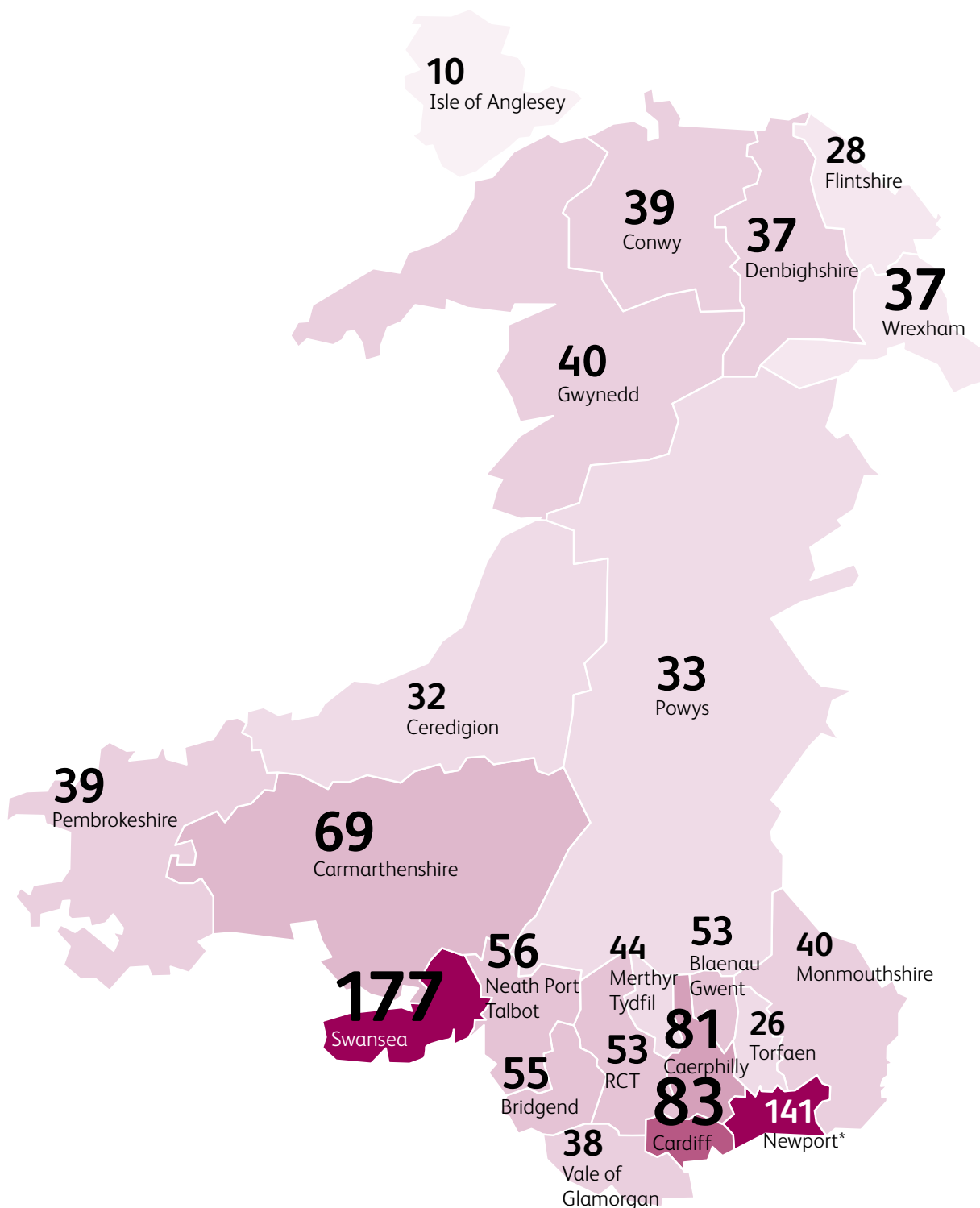


Fig. 1: **Average number of noise complaints per 10,000 people by local authority.**
(Regions in darker colours represent more noise complaints, lighter colours represent fewer noise complaints.)

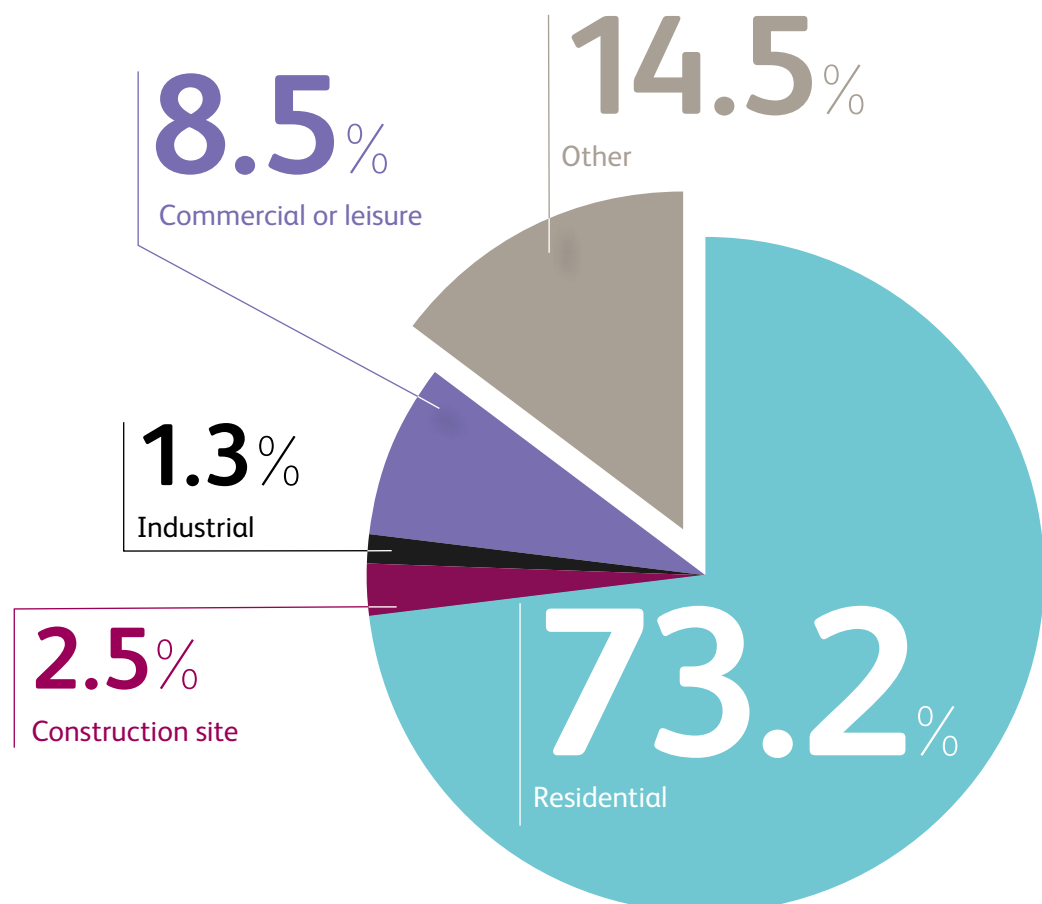
Source of noise complaints

We asked local authorities to indicate the source of noise complaints received. Sixteen local authorities in Wales provided this information.

Noise from residential premises accounts for the largest proportion of noise complaints. This is the case across all local authorities in Wales.

Industrial noise accounts for the lowest proportion of noise complaints compared to other sectors. This is the case in all local authorities except Carmarthenshire, Flintshire, Gwynedd and Torfaen, where construction noise accounted for the lowest proportion of complaints. Industrial and construction noise accounted for the lowest and same proportion of noise complaints in Gwynedd.

Other sources of noise reported to local authorities in Wales include noise in the street, noise from machinery and equipment, traffic and aircraft noise.



Use of the Noise App

The Noise App is a smart tool which simplifies noise reporting and investigation, enabling users to accurately capture instances of noise nuisance and report it to the relevant organisation. All but two local authorities in Wales reported that they were using the Noise App.

Use of MATRON noise monitoring devices

All but one local authority reported using Matron noise monitoring devices to investigate time-consuming, intermittent domestic noise complaints.

Out of hours services

Eleven local authorities reported that they had arrangements in place to respond to noise complaints out of office hours. A further two local authorities reported that they carried out planned noise monitoring activities out of office hours as necessary.

Summary of formal enforcement action taken in response to noise 2019/20

Type of formal action	Number of formal actions in 2019/2020
Environmental Protection Act 1990, Notices Served	323
Section 60 Control of Pollution Act Notices – Construction Noise	15
Part 1, Anti-social Behaviour, Crime and Policing Act 2014 – Community Protection Warning	3
Part 1, Anti-social Behaviour, Crime and Policing Act 2014 – Community Protection Notice	1
Review of Licence Condition under Licensing Act 2003	3
Simple cautions	5
Prosecutions	34

Case studies

Noise from barking dogs

Officers from Shared Regulatory Services received continuing complaints about barking dogs in a case which had been the subject of a previous prosecution. In that case, in mitigation, the defendant told the court that he had lived at the Cardiff property for 12 years and only one of his four neighbours had ever complained about the dogs. He said that he had given one of his four dogs away and given another back to his daughter. He claimed that the remaining two dogs, which he had owned for 10 years, only bark when people approach the property. He also indicated that he was keeping the dogs inside more often, was not well and was suffering from early onset dementia. The court at that time issued a fine of £306 with costs awarded of £220 and a victim surcharge of £30.

In response to the continuing complaints, a further investigation was undertaken. In July 2019, officers from Shared Regulatory Services visited the defendant's property in the early hours of the morning following complaints about noise from barking dogs. Officers also attended the property late in the evening in September 2019. Evidence of two breaches of the abatement notice were witnessed.

The case was listed again before Cardiff Magistrates Court in February 2020. The defendant appeared in court however was unrepresented. The defendant pleaded guilty to two offences under the Environmental Protection Act 1990 in respect of noise from barking dogs at his property.

In mitigation, the defendant informed the court that he suffers from dementia and attends a memory clinic once a month. The defendant told the court he will try his best to prevent the dogs from barking repeatedly by calling them inside and will also continue to take them on regular walks in the morning and evening. The defendant is in receipt of a pension.

The magistrates took into account his early guilty plea and his only income being his pension.

The defendant was fined £120 per offence giving a total fine of £240, ordered to pay costs of £100 and a victim surcharge of £32.





Noise from Housing Association tenants playing loud music and shouting

Officers from Shared Regulatory Services received complaints about loud music and excessive shouting emanating from a Cardiff housing association property. Warnings were issued to the tenants by both the Housing Association and the local authority but in July 2019, officers working on the Night-time Noise service were called out and witnessed a statutory nuisance. A noise abatement notice was served. Complaints continued, so a reminder of the requirements of the notice was issued to the tenants. In November 2019 a duty officer was called out to witness the noise. A notice of intention to start legal proceedings was issued as a result of two breaches of the notice. The case was heard in Cardiff Magistrates Court in August 2020. The defendant was issued a fine of £400 and ordered to pay costs of £180 and victim surcharge of £44.

Noise from barking dog

Following the receipt of complaints, officers from Bridgend County Borough Council served an abatement notice under section 80 of the Environmental Protection Act 1990 in respect of noise from a dog barking excessively. Two breaches of the notice were witnessed. Unfortunately, the notice recipient failed to engage with the authority, refusing to attend an interview under caution. Prosecution was therefore recommended. The defendant failed to attend court and was subsequently found guilty in his absence. The defendant was fined £1,760 by magistrates and ordered to pay £350 legal costs, £450 investigation costs and £176 victim surcharge.

Noise from cockerels

In another Bridgend case, the owner of cockerels was prosecuted after failing to comply with a noise abatement notice served under section 80 of the Environmental Protection Act 1990. The notice was served in May 2019 following a long-standing complaint from nearby residents.

But the complaints continued and when enforcement officers visited to undertake a noise survey in July, the cockerels crowed every few seconds between 4.40am and 5.10am. A further visit by officers in October saw the cockerels crow 13 times between 6.15am and 6.20am – and a further 104 times between 6.45am and 7.20am with each crow lasting a few seconds.

The defendant pleaded guilty to breaching the notice and was fined £600 at Cardiff magistrates court, ordered to pay £300 legal costs, £250 investigation costs and a £60 victim surcharge.



References

1. Environmental Protection Act 1990
2. Clean Neighbourhoods and Environment Act 2005
3. The Fireworks Regulations 2004
4. Anti-social Behaviour, Crime and Policing Act 2014
5. Noise and Statutory Nuisance Act 1993
6. Noise Act 1996
7. Control of Pollution Act 1974
8. Noise and Soundscape Action Plan 2018-2023. Welsh Government
9. Well-being of Future Generations (Wales) Act 2015
10. Auditory and non-auditory effects of noise on health. Basner, Mathias et al. (2014). Auditory and non-auditory effects of noise on health. The Lancet, Volume 383, Issue 9925, 1325 – 1332
11. Burden of disease from environmental noise: Quantification of healthy life years lost. WHO Regional Office for Europe (2011)
12. Estimated population exposure to environmental noise. Welsh Government (2018)
13. Environmental Noise Guidelines for the European Region. World Health Organization 2018
14. National Survey for Wales: April 2017-March 2018. Welsh Government
15. Gambling with our Health Chief Medical Officer for Wales Annual Report 2016/17
16. Population estimates for the UK, England and Wales, Scotland and Northern Ireland: mid-2019. Office for National Statistics.



Appendix

List of participating authorities:

Blaenau Gwent County Borough Council
Bridgend County Borough Council
Caerphilly County Borough Council
Carmarthenshire County Council
Ceredigion County Council
City and County of Swansea
City of Cardiff Council
Conwy County Borough Council
Denbighshire County Council
Flintshire County Council
Gwynedd Council
Isle of Anglesey County Council
Merthyr Tydfil County Borough Council
Monmouthshire County Council
Neath Port Talbot Council
Newport City Council
Pembrokeshire County Council
Powys County Council
Rhondda Cynon Taf County Borough Council
Torfaen County Borough Council
Vale of Glamorgan Council
Wrexham County Borough Council

CIEH would like to thank all local authorities in Wales for participating in this survey

