



# Shared Regulatory Services

## Statutory Nuisance Policy

### 2024



Shared  
**Regulatory**  
Services

Gwasanaethau  
**Rheoliadol**  
a Rennir



# Statutory Nuisance Policy 2024

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

## 1. Introduction

- 1.1 The Shared Regulatory Service (SRS) administers the pollution control service on behalf of Bridgend County Borough Council, City of Cardiff Council and the Vale of Glamorgan Council.
- 1.2 The primary aim of the SRS Pollution service is to safeguard public health and quality of life, in particular through the prevention and abatement of statutory nuisances. This requires the integrated management of statutory nuisance issues within its control, whether in a preventative capacity or by reactively addressing any nuisances that arise.
- 1.3 The Environmental Protection Act 1990 sets out in legislation the matters that constitute statutory nuisance and provide specific powers to tackle nuisance. This Policy sets out the approach of SRS when investigating statutory nuisance complaints and the appropriate use of relevant legislation. It aims to set out our approach to preventing statutory nuisance occurring; how we will deal with situations that do occur; and how we will work with internal and external partners to tackle nuisance issues. **Please note that a separate policy is available that deals specifically with noise nuisance.**
- 1.4 In adopting this policy, the SRS intends to apply legal powers consistently and fairly whatever the circumstances. Decisions will not be influenced by the gender, disability, language, ethnicity, religion, political beliefs or sexual preference of the subject and service users.
- 1.5 SRS wants to ensure our information is accessible. This policy has been published in English and Welsh on our website [www.srs.wales](http://www.srs.wales) and in hard copy. We are also able to provide the document in alternative formats including audio tape, large print and in community languages. We have access to interpreter services where required. Requests for copies in other formats or other languages should be addressed to: -

Shared Regulatory Services,  
Vale of Glamorgan Council,  
Civic Offices,  
Holton Road,  
Barry,  
CF63 4RU

Email: [enquiries@srs.wales](mailto:enquiries@srs.wales)

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## 2. What is this policy for?

2.1 The purpose of this document is to set out the SRS statutory nuisance policy when investigating statutory nuisance complaints and the use of relevant legislation. It aims to :-

- To set standards that the Service is committed to meet in respect of the investigation of statutory nuisance complaints.
- To set target response times for various categories of complaints.
- To provide a transparent framework so that members of the public and local business know what level of service they can expect.
- To liaise with South Wales Police, Community Safety Teams, Housing Associations, Council Housing Teams, Natural Resources Wales (NRW) and other partners and establish suitable systems of communication, interaction, and mutual assistance.
- To ensure consistent enforcement that is proportionate, transparent, and objective, in line with the Shared Regulatory Services overarching Compliance and Enforcement Policy.
- To maximise the use of available resources.

## 3. What is statutory nuisance?

3.1 This section will outline the types of nuisance we are able to investigate and those that we are unable to deal with and provides information in relation to the definition of a statutory nuisance.

3.2 For an issue to be defined as 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.**

3.3 Statutory nuisance complaints that **we can** investigate include:-

- Fumes from heating systems
- Dust from loading operations or commercial activities
- Smoke from bonfires or chimneys
- Accumulations of waste (e.g., dog faeces, food items, etc.)
- Odour arising from the manner in which animals are kept
- Filthy premises
- Dust from construction sites
- Odour from industrial, trade or business premises
- Artificial light

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- Insects from industrial, trade or business premises
- Noise nuisance (see separate Noise Policy for information in this regard)

3.4 Statutory nuisance complaints that **we cannot** investigate include:-

- Cooking smells from your neighbour
- Smells that occur in the common parts e.g., in the hallways of blocks of flats
- Cigarette smells from your neighbours, including the smoking or smell of cannabis
- Hypersensitive complainants – those who are unduly sensitive, more than the ordinary person. For example, this may be due to a low tolerance or a pre-existing medical condition
- Unknown sources of the nuisance e.g., dust in an area without an obvious source

**Please note the types of complaints listed above are not exhaustive.**

### 3.5 What factors are taken into account?

3.5.1 A statutory nuisance is defined by the Environmental Protection Act 1990, and before SRS can investigate and take any formal action, we must be satisfied that the nuisance is significant enough to be a statutory nuisance.

To ensure we can help you, the nuisance must be **substantial and unreasonable**.

3.5.2 Numerous other factors are taken into account when determining nuisance. No individual factor will be considered in isolation but will be considered in combination in making the determination.

- **Location:** For example, if you live in a rural area then you may expect to experience odour from muck spreading on farmland.
- **Impact:** how the nuisance affects you in your home
- **Duration and frequency of the nuisance:** how long is the nuisance detectable, and how often does it occur? For example, “one-off” bonfires that are reasonably managed and controlled are unlikely to be a nuisance
- **Sensitivity of the complainant:** statutory nuisance must be considered in the context of an average person, in a reasonable state of good health and having a normal pattern of everyday activity. Statutory nuisance cannot be used to make people do more than might reasonably be expected of them because someone else may be more sensitive than the average person, for example a person who has a respiratory disease and is therefore more sensitive to smoke.

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- **Public benefit:** something might cause an inconvenience, but because it is essential to the wider public benefit it may be considered not to be a nuisance.  
– for example, certain farming practises. Although best practice should be followed to minimise nuisance.
- **Best practicable means:** only applicable to some types of statutory nuisance which occur on business premises; if a company is doing all they reasonably can to prevent or counteract the effect of a nuisance then they will have a defence against any statutory nuisance action.

### 3.6. Anonymous complaints

We do not investigate anonymous complaints. Details of all complainants are kept in strict confidence unless otherwise agreed. Only during legal proceedings would these details be released, and the complainant's agreement to this position is normally secured at a relatively early stage during the investigation.

## 4. Types of nuisance

### 4.1 Smoke from bonfires

If there is smoke from a bonfire, it isn't necessarily a nuisance – the presence of smoke does not always equate to a nuisance, the smoke must be inherently unreasonable, and materially affect the use of the property.

For domestic properties, there are no laws which prohibit having a bonfire. Someone can light a bonfire at any time as often as they like. However, if it causes a statutory nuisance, SRS can do something about it. For a bonfire to be classed as such a nuisance, the smoke must be substantially affecting you in your home and/or garden. It will also likely need to be happening on a regular basis not just a one off or a few times throughout the year.

There are laws relating to burning trade waste on industrial or commercial premises. If these bonfires emit dark smoke, then an offence is committed, and the Shared Regulatory Service and Natural Resources Wales can take action.

### 4.2 Odour

- 4.2.1 Odour is airborne smell that is produced by many substances and is detected by our sensory perception. Odours can be carried long distances in the air and thus have the ability to affect a large number of people. The degree to which people are affected by offensive odour will however depend on the sensitivity of their sense of smell and their

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tolerance of the odour in question. In certain circumstances odours can be a statutory nuisance. This depends on the frequency, duration, intensity and / or source. We can investigate issues concerning odour from industrial, trade or business premises. We cannot deal with complaints regarding odour from domestic properties.

There are also occasions when nothing further can be done and you should be aware that if you live close to sewage works, farmland on which slurry is spread, a refuse tip or certain other activities you may be affected by these activities from time to time. In these circumstances all we can do is to require that the operator do what he reasonably can to minimise those impacts.

#### **4.2.2 Agricultural Odours**

Most people accept agricultural odours as a part of being in the countryside. For some a common source of odour complaints relate to the spreading of bio-solids (sewage sludge), animal manures (such as chicken manure) and slurries (muck spreading). Prevailing winds can carry these odours some distance across fields and into residential areas.

Spreading of all these waste materials is recognised as standard agricultural practice and in rural areas where there is working farmland, such odour must be expected from time to time.

It is not always possible to predict the expected duration or intensity of odours, as this can be dependent upon weather conditions but odours usually only last for a short period of time. Farmers are encouraged to use best practice whilst spreading on their fields.

It is unlikely that action will be taken against agricultural odours in a country location unless the odour is unreasonably excessive and is identified as being the result of bad agricultural practice.

For complaints to be investigated it is necessary to provide details of:-

- The duration of the odour.
- The farm undertaking the spreading or as much detail of the source as possible. If the source of the odour can be identified the farmer may be contacted and advised on best practice and encouraged to use it.

### **4.3 Nuisance from animals**

In general people are allowed to keep pet animals as long as they do not cause a statutory nuisance or a health hazard to people around them. Pet owners have a duty to ensure their pets are kept in such a way that they do not interfere with their neighbour's enjoyment of their homes. Animals that are not kept in suitable conditions can cause problems in relation to odour and waste. We try to resolve problems by offering help and advice but in circumstances where we determine there is a statutory nuisance, we can use the powers available in the Environmental Protection Act 1990.

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## 4.4 Accumulations of refuse

The Shared Regulatory Service have powers to deal with accumulations of rubbish that may be a public health nuisance. If an accumulation is likely to harbour or attract rodents, or present a health risk for humans, enforcement action can be taken on the persons responsible.

## 4.5 Insects

Insects can become a statutory nuisance when they are traceable to a commercial activity and there is a noticeable increase in their numbers, which interferes with the comfort and enjoyment of another's home.

The Clean Neighbourhoods and Environment Act 2005 amended the Environmental Protection Act 1990 to bring insects under the statutory nuisance regime. The legislation only relates to insects emanating from relevant trade or business premises. It does not apply where the source of the problem is a domestic property.

Working out the source of nuisance can sometimes be a difficult and lengthy process, as flying insects can travel considerable distances.

Likely sources of insect nuisance include:

- poultry houses/farms
- sewage treatment works
- manure/silage storage areas
- animal housing
- stagnant ditches and drains
- landfill sites, refuse tips and waste transfer stations.

## 4.6 Light Nuisance

Light shining into your property can be a nuisance and is best described as artificial light that illuminates or intrudes on areas not intended to be lit such as security lights. There is little in the way of formal guidance as to what constitutes legally actionable light nuisance. There is no fixed level which constitutes a statutory nuisance; individual circumstances differ, and each case has to be judged on its own merits, including the duration and frequency of the light nuisance.

The Shared Regulatory Service has no legal powers over general light pollution, for example of the night sky, only light that is causing a potential nuisance to an individual. Light nuisance does not include light emitted from premises used for transport purposes or where high levels of light are required for safety and security reasons such as street lighting.

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## 5. Service Standards

- 5.1 Under the Environmental Protection Act 1990 (EPA) the Shared Regulatory Service has a duty to take reasonable steps to investigate complaints of statutory nuisances. It is for each authority to determine what steps they consider to be 'reasonable'.

This section defines the agreed standards of service for the investigation of statutory nuisance related service requests. They are not written as a rigid plan for the Service to adhere to but as a guide to the level of investigation that can be expected.

- To fulfil the duties imposed on the Service by current legislation in relation to the control of statutory nuisance, a commitment has been made to meet the following standards.
- To ensure that effective arrangements are in place to receive, record and screen service requests for action during normal working office hours.
- To aim to respond to the following categories of nuisance complaints within the allocated times:

**Domestic** within 5 working days.

**Commercial/Industrial** within 3 working days

- To ensure where necessary that effective arrangements are made to carry out monitoring out of normal working office hours.
- Where complaints of statutory nuisance are referred as a result of the screening process, a suitably qualified officer is available to take appropriate action.
- Where it is necessary to serve a statutory notice, we will aim to serve the notice within 10 working days of the nuisance being witnessed and/or being established to have amounted to a statutory nuisance.
- To ensure effective arrangements are in place to progress the investigation and/or monitor, where appropriate, nuisance complaints outside normal working hours.

## 6. Appointment and authorisation of officers

- 6.1 **Skills, competencies, and experience of regulatory officers:** Effective management and delivery of nuisance control services requires a sufficient number of staff with suitable qualifications in nuisance control and enforcement. The Service will ensure

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that all authorised officers are equipped with the appropriate level of skills, competencies, and experience commensurate with their role and responsibilities and the support necessary to undertake their job effectively and efficiently. Continuing Professional Development (CPD), qualifications, training and development will be undertaken by officers.

## 7. Our approach to the prevention and investigation of statutory nuisance issues

7.1 This section outlines how we undertake both proactive and reactive measures to respond to statutory nuisance issues.

### 7.2 Prevention

Our aim is to prevent statutory nuisance at the point of planning applications or premises licence applications. This is an important area of nuisance control work as the decisions made by the Council's Planning and Licensing Committees may prevent the need for statutory nuisance action.

Where possible we will seek to resolve concerns with applicants. If this is not possible, we will seek to mitigate/reduce the nuisance impact by recommending the imposition of conditions to any planning consent or raising a representation in respect of a premises licence. Officers may be required to present evidence at relevant hearings or reviews.

### 7.3 Investigating complaints

The investigating officer has discretion in the manner of the investigation, as over prescriptive measures may prevent officers from using their professional judgement to their best effect in resolving challenging cases in rapidly changing circumstances. However, in general one or more of the following courses of action will be taken.

- We will aim to contact the complainant within the appropriate response time, to obtain details of the complaint.
- Where site visits are necessary to witness the nuisance being complained of, they will be made by investigating officers at times the alleged nuisance is likely to occur. The visits will be of suitable duration at times of days/nights when the probability of witnessing the nuisance is greatest. If after carrying out 3 visits the investigating officer has not witnessed conditions amounting to a statutory nuisance, they will use their professional judgement to determine whether further visits are necessary.
- For service requests relating to odour and smoke nuisance, the most appropriate method of monitoring will be determined by the case officer, and this may be a

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mixture of ad hoc visits and planned surveys. Where planned nuisance monitoring surveys are undertaken these should be for a maximum duration of 5 hours in total. The visits will be made at appropriate times of day when the alleged nuisance is likely to occur. Should requests be made for further monitoring surveys, the investigating officer will use their professional judgement as to whether this is appropriate.

## 7.4 Roles of the complainant and case officer

Nuisance complaint investigation, by its very nature, can be complex and will often take time to investigate, particularly where the nuisance is occurring intermittently. Gathering evidence and witnessing the nuisance complained about are an integral part of the investigation, both the complainant and the case officer have specific roles:

- **The complainant**

Complainants will be expected to give their full name, address, and contact details. We cannot investigate anonymous complaints. All information provided will be stored in accordance with current data protection regulations. Due to the legal nature of nuisance investigation, it is not possible to investigate without knowing who is affected.

They will also be expected to provide the details of the complaint and the address of the premises at which the nuisance is alleged to exist. A description of the nuisance, when and for how long it occurs, and the way in which it affects them and anything they have done to try to resolve the problem must also be given.

Residents are advised to try to discuss the issue with their neighbour and try to resolve the issue informally. However, if this is not successful and the complainant seeks support from the Shared Regulatory Service, we ask all complainants to complete nuisance diary sheets to log each incident that causes nuisance and how it affects them in their home. Not providing this information will delay the progression of an investigation and it will lead to the case file being closed if this information is not provided.

An investigation will likely involve visits to the complainants' property to enable officers to witness the nuisance complained of. Complainants who refuse these measures may prevent their complaint being progressed further and the case being closed. Nuisance needs to be assessed from a habitable room such as living room or bedroom, and where it is appropriate in a garden (this may not be considered reasonable during the winter, at night etc, when the garden would not usually be used). Nuisance cannot be assessed from a non-habitable room such as kitchens (unless a kitchen with a combined dining/living area) or bathrooms.

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- **The case officer**

Upon receipt of completed record sheets the case officer will determine whether there is enough valid evidence/written information to progress the investigation. As part of our investigations the case officer may write and or visit the neighbour allegedly causing the nuisance issue. If the case officer cannot resolve the issue informally monitoring will be carried out by an officer carrying out monitoring from within the complainants' property.

When the nuisance monitoring has ceased, the case officer will determine whether the nuisance is deemed to be a 'statutory nuisance' and what the next course of action will be, which could include, issuing a formal Notice, or any further action, from a breach of a notice, such as a simple caution or prosecution for non-compliance. The case officer will keep the complainant updated throughout the duration of the investigation. Whilst this approach will be followed in the majority of cases, the Shared Regulatory Service reserves the right to vary its actions where appropriate. For example, if a nuisance source is constant rather than intermittent it might be possible to make an assessment of nuisance with only one visit.

## **7.5 Out of hours service**

7.5.1 This may be made available to complainants under certain circumstances.

- Domestic, industrial, commercial or construction nuisance complaints where an abatement notice has been served and it is alleged that the requirements of the notice are not being complied with and the case officer is satisfied that the complaint warrants being placed on the out of hours planned list.
- Domestic, industrial, or commercial nuisance complaints where attempts to establish a statutory nuisance by the use of planned site visits have not been successful and the case officer is satisfied that the complaint warrants being placed on the out of hours planned list.
- ***There is no reactive Out of Hours service in the Vale of Glamorgan***

7.5.2 In relation to the investigation of ongoing nuisance complainants, the complainant will be given access to the service for a period of 4 weeks. If a statutory nuisance has not been witnessed within the 4-week period then the complainant will be advised that they will no longer have access to the service, unless on discussion with a manager, the case officer determines that a further period is appropriate.

7.5.3 If a duty officer attends site on 3 occasions following notification from the complainant that a nuisance is occurring, and a nuisance is not witnessed on any of these occasions, then the complainant will be advised that they will no longer have access to the service, unless on discussion with a manager, the case officer determines that further visits are appropriate.

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- 7.5.4 The duty officer will aim to contact the complainant within one hour of being notified of the complaint by the contact centre. If the officer deems that it is necessary to undertake a site visit, the visit will be made as soon as it is reasonably practicable to do so. Response times can be up to 2 hours. The response times for contacting the complainant and carrying out a visit may not always be met during busy periods.
- 7.5.5 If the duty officer perceives there to be a risk to their personal safety, the officer will be entitled to refuse to attend the situation.
- 7.5.6 First time nuisance complaints or complainants who have not been placed on the out of hour's emergency service list, will not be dealt with under this out of hours service. Any person who contacts the emergency service number in these circumstances will either be advised to contact the Service the following working day, or details of the complaint will be taken at the time and forwarded to the Service.

## 7.6 Enforcement Action

- 7.6.1 Enforcement action will be taken in accordance with the Shared Regulatory Service Compliance and Enforcement Policy.
- 7.6.2 We will always strive to meet the highest standards in undertaking enforcement action. The following service standards will be applied:
- Officers will clearly identify themselves and carry the appropriate ID cards and any necessary authorisations.
  - Officers will be professional, courteous, and helpful in their conduct during work on enforcement issues and will work with individuals, groups, and businesses to promote compliance.
  - Officers will provide assistance where appropriate and advice will be given to assist in compliance before formal action is instigated, except in those circumstances where the breach of legislation is sufficiently serious to warrant formal action.
  - Fairness in appropriate cases – adequate opportunity will be given to rectify the non-compliance before formal proceedings are commenced.
  - Matters relating to enforcement will be dealt with promptly.

## 8. Resolution of service requests

- 8.1 A service request will be deemed to have been resolved when the procedures adopted in this policy have been followed through to completion. When the officer has carried out their investigation within the parameters of this policy, if sufficient evidence has not been obtained to warrant further action the complaint will be closed.

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## 8.2 Closure of service requests

8.2.1 If, following the investigation of a service request, a nuisance has not been substantiated the case will be closed. We recognise that the closure of a case is significant to the complainant and will handle it in a consistent and sensitive manner. In all cases, we will communicate the decision to the complainant either verbally or in writing that we intend to close the investigation.

8.2.2 We will not contact the complainant in the following situations:

- The complaint is withdrawn.
- Diary sheets are not completed and returned within the timescales as requested.
- Informal action has been taken and the nuisance has abated for 4 weeks.

8.2.3 The closure and resolution of a nuisance complaint may occur when the investigating officer has followed the investigation through to its completion, resulting in one of the following:

- Automatic closure of the complaint without notification if no contact within 28 days.
- The nuisance complaint has been resolved (the nuisance has been prevented, stopped, or reduced) through informal action e.g., email, telephone call or warning letter.
- An abatement notice has been served and complied with or work has been carried out in default.
- Where other formal enforcement action has been taken and the nuisance or its recurrence has been prevented, stopped, or reduced.
- The nuisance complained of does not fall within the jurisdiction of SRS.
- No statutory nuisance or other formally actionable nuisance has been identified by the investigation carried out and no informal resolution is likely.
- The matter has been referred to an external agency or another department.
- The complainant does not cooperate with reasonable and necessary requests to assist with investigating the complaint such as completing a nuisance diary or is otherwise unreasonable in their behaviour.

## 8.3 Taking your own action

If adequate evidence has not been obtained, SRS will not investigate the matter further. You will then have the 2 options to consider. Further information on both options is detailed on our website.

[Common Law Nuisance and Statutory Nuisance \(srs.wales\)](https://www.srs.wales)

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1. Section 82 Environmental Protection Act 1990 Section 82 of the Environmental Protection Act 1990 makes provision for private individuals to take their own action in the Magistrates Court.
2. Civil Action - An alternative to Section 82 is taking civil action for nuisance at common law by seeking either an injunction to restrain the defendant from continuing the nuisance or damages for loss.

Complainants will be provided with information in relation to these provisions if appropriate.

## 8.4 Closure of case due to unacceptable behaviour of complainants

Unacceptable behaviour means acting in a way that is unreasonable, regardless of the level of someone's stress, frustration, or anger. It may involve acts, words or physical gestures that could cause another person distress or discomfort.

Aggressive or abusive behaviour is behaviour or language (written or spoken) that could cause our staff to feel afraid, threatened or abused. This includes threatening emails, telephone calls, meetings, and comments on social media or elsewhere.

Unacceptable behaviour towards staff will not be tolerated and is likely to result in service being withdrawn.

## 8.5 Further investigations

SRS will not investigate the same complaint unless circumstances have changed significantly. The case file will not be re-opened, or the complaint re-investigated until either 6 months has passed (from when the case has closed) or there has been a significant change in the circumstances, either with the frequency, intensity, or duration of the nuisance issue

# 9. Partnership working

- 9.1 This section outlines how we work with other departments and agencies. Officers from the Shared Regulatory Service work in close partnership with other teams within the Council for example, Housing Services, Planning Services, Licensing and Community Safety Partnership, as well as external agencies, to proactively investigate and manage unreasonable nuisance. We aim to work in partnership with other departments and where appropriate other agencies, to ensure an effective response to all complaints and consultations. This will allow other law enforcement remedies to

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be used where available and appropriate e.g., planning enforcement, licensing, or anti-social behaviour legislation.

We make referrals to appropriate support services, with the complainant's consent, which may include a mediation service.

We liaise with South Wales Police and establish suitable systems of communication, interaction, and mutual assistance with regard to nuisance impacting on local communities.

The service liaises with the following external agencies. As a partner of the Community Safety Partnership, information is shared in accordance with the relevant data sharing protocols.

## 9.2 Working with South Wales Police

Liaison with the Police is primarily undertaken in the following circumstances:

- To request assistance in the execution of a warrant for forced entry into a premises
- To seek advice and request assistance for anti-social behaviour, public disorder, and safety issues
- To share information in relation to incidents of nuisance that the police have attended.
- To liaise closely in relation to nuisance problems from licensed premises
- To participate in meetings of the Community Safety Partnership and Responsible Authorities.
- Where there are concerns for officers' health and safety.

## 9.3 Working with registered social landlords

Whilst legislation is available to abate a statutory nuisance, Housing Associations may also determine whether enforcement of the tenancy agreement is appropriate. Close links have therefore been made to ensure an effective resolution to such problems. Liaison is therefore primarily undertaken in the following circumstances:

- To notify the relevant housing association of any complaints received in respect of their tenants.
- To notify the relevant housing association of any legal action being initiated against its tenants.
- To forward copies of any Abatement Notices served on their tenants.
- To facilitate a joint approach to problems of nuisance caused by tenants whenever possible.
- To exchange information regarding the anti-social behaviour of any tenants at the Community Safety Partnership Meetings.

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## 9.4 Working with Natural Resources Wales (NRW)

Regulation of nuisance for certain industrial activities that are permitted under the Environmental Permitting (England and Wales) Regulations 2016 (as amended) is achieved through conditions placed on the permit. Effective liaison is undertaken during the consultation process to ensure that relevant, adequate, and appropriate conditions are imposed on the permit for nuisance control. The Shared Regulatory Service can still serve statutory nuisance abatement notices on permitted installations.

## 10. Review and monitoring

- 10.1 This Policy has regard to current legislation, centrally issued guidance and best working practice at the time of preparation. This Policy will be reviewed every five years or in line with changes in relevant legislation, changes in centrally issued guidance or when working practices identifies working areas for procedural improvement.
- 10.2 Quarterly output reports are produced detailing the number of complaints dealt with and the Services performance in line within set performance indicators which form part of our Business Plan. Customer satisfaction surveys are carried out periodically when necessary. Any comments received are reviewed and are acted upon, if applicable, to continue to improve the service.

## 11. What if you're not happy with our service?

- 11.1 We aim to provide an efficient and fair enforcement service incorporating a culture of accountability and transparency we will endeavour to continually improve our nuisance complaint service through monitoring and review. However, in the event that a person or business is not satisfied with the actions of the Shared Regulatory Service there is a formal complaints procedure for registering complaints.

Details of the complaint procedure can be found:

[We are listening and learning \(valeofglamorgan.gov.uk\)](https://www.valeofglamorgan.gov.uk)

**Please note:** The complaints process cannot be used as a substitution for formal legal appeal. In cases where the Council has initiated legal proceedings, a complaint can be made, but it will not stop any impending legal action.

Making a complaint does not replace the statutory rights of appeal or the right to make representation. Nor does it allow extra time to comply with any notice or order.

|                           |                                    |                      |                           |     |
|---------------------------|------------------------------------|----------------------|---------------------------|-----|
| Statutory Nuisance Policy | Date of issue<br><i>March 2024</i> | Ref: SRS/NOI/POL/002 | OM Neighbourhood Services | V.1 |
|---------------------------|------------------------------------|----------------------|---------------------------|-----|