



## BRIEFING PAPER

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# Nuisance complaints

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## Summary

Concerns about various kinds of nuisance from neighbouring residential or business premises are common: for example noise, smoke, smells, fumes, light, trees and vegetation and infestations.

Statutory nuisance can occur when the activity of a party on their own premises detracts from another's the enjoyment of their property or causes a risk to public health. The legislation covering statutory nuisance in England and Wales is the [Environmental Protection Act 1990](#). Similar provisions exist in Scotland and Northern Ireland.

Local authorities have a duty to monitor potential nuisance and to investigate complaints of nuisance made by residents. They have a duty to act to stop or prevent the nuisance if they deem it to be a statutory nuisance. The Act also makes provision for a resident to take private action through a magistrates' court. There is also a recourse in common law. Section 79 of the Act outlines the different types of nuisance which can be dealt with as statutory nuisance. To be considered a nuisance, an activity must be ongoing or repeated- a one-off event would not usually be considered under the Act.

This briefing deals mainly with nuisance affecting individual residents, which constitutes *statutory nuisance* and the alternative remedies which are available under statutory nuisance legislation. It also describes other nuisances and applicable legislation, together with sources of help and advice.

There is various Government guidance on dealing with nuisance including: [Noise in general](#); [Noise from transport](#); [Bonfires](#); [Smells](#); [Artificial light](#); and [High hedges](#).

# 1. Remediating nuisance

What individuals perceive as nuisances varies, but common examples of causes are noise, smoke, smells and fumes, and light. There are various options for individuals to remedy a perceived nuisance.

- It may be possible to resolve problems without legal action. The Government guidance, [Resolving neighbour disputes](#) contains various options, including informal approaches and mediation as well as formal complaints procedures and legal action. The consumer organisation Which? also has [advice](#) on informal and formal action to stop and prevent nuisance.<sup>1</sup>
- Under statutory nuisance law, complainants are able to
  - require local authorities to investigate a complaint and take action if necessary;
  - take action themselves in a magistrates' court.
- Complainants may go to court under common law. The Library is not qualified to provide legal advice so anyone considering court action should consult a solicitor. For further information about finding legal help, please refer to the Library guide, [Legal help: where to go and how to pay](#) <sup>2</sup>

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<sup>1</sup> Which?, [What can I do about nuisance neighbours?](#) [accessed 13 June 2017]

<sup>2</sup> Library Briefing Paper 03207, 9 June 2017.

## 2. Statutory nuisance

This section covers nuisance legislation in England and Wales. Similar regimes apply in Scotland and Northern Ireland under separate legislation. Further details can be found in Section 5 of this paper.

A statutory nuisance can occur when the activity of an individual or business on their own premises unreasonably detracts from another's enjoyment of their property or causes a risk to public health; and action can be taken by local authorities or individuals under the [Environmental Protection Act 1990](#) (EPA).

The Act specifies what counts as statutory nuisance. Some nuisance is excluded from the statutory definition and is covered by other laws, for example noise from traffic. Depending on circumstances other legislation may address a nuisance, for example noise from premises. For other nuisance and relevant legislation see Section 3.

Under the EPA, local authorities have a duty to investigate any complaint of statutory nuisance from a person living in its area. They also have a duty to inspect their areas to detect whether a nuisance exists or is likely to occur or recur.

While the local authority is obliged to investigate complaints of nuisance, it is for them to decide whether it constitutes a statutory nuisance or not. Once satisfied that there is a statutory nuisance, a local authority must serve an abatement notice setting out whatever remedial action it deems necessary.

Causing a statutory nuisance is not an offence in itself but not complying with an abatement notice or court order without reasonable excuse is.

### 2.1 What constitutes a statutory nuisance?

For a nuisance to be considered 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.<sup>3</sup> To be considered a nuisance, an activity must be ongoing or repeated; a one-off event would not usually be considered a nuisance.

[Section 79](#) of the EPA lists 11 categories of statutory nuisance:

- (a) any premises in such a state as to be prejudicial to health or a nuisance;
- (b) smoke emitted from premises so as to be prejudicial to health or a nuisance;
- (c) fumes or gases emitted from premises so as to be prejudicial to health or a nuisance;

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<sup>3</sup> Defra, [Statutory nuisances: how councils deal with complaints](#), Gov.uk, 7 August 2015

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(d) any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance;

(e) any accumulation or deposit which is prejudicial to health or a nuisance;

(f) any animal kept in such a place or manner as to be prejudicial to health or a nuisance;

(fa) any insects emanating from relevant industrial, trade or business premises and being prejudicial to health or a nuisance;

(fb) artificial light emitted from premises so as to be prejudicial to health or a nuisance;

(g) noise emitted from premises so as to be prejudicial to health or a nuisance;

(ga) noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street or in Scotland, road;

(h) any other matter declared by any enactment to be a statutory nuisance;<sup>4</sup>

### Exemptions from statutory nuisance

Section 79 also sets out sources of nuisance that do not fall under statutory nuisance. These may be dealt with under other environmental regulation (see Section 3). Some examples are shown below:

- nuisance that consists of, or is caused by, any land being in a contaminated state;
- nuisance from premises used by the forces;
- smoke from private dwellings within a smoke control area, or smoke, fumes or gases from premises other than private dwellings;
- artificial light from airports, harbours, railways, trams, bus stations, other passenger and goods transport facilities, lighthouses and prisons;
- noise from aircraft, traffic or political demonstrations.<sup>5 6</sup>

## 2.2 Local authority action

### How to make a complaint to a local authority

The Department for Environment, Food & Rural Affairs (Defra) has guidance on what local authorities can deal with, and how the process works.<sup>7</sup>

Individuals wishing to make a formal nuisance complaint may contact their local authority's environmental health department. They may be asked to keep a record describing the nature, times and frequency of the nuisance before doing so.

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<sup>4</sup> EPA 1990 [Section 79\(1\)](#)

<sup>5</sup> EPA 1990 [Section 79\(1A-6A\)](#)

<sup>6</sup> See section 3.1 for possible exemption of noise from railways

<sup>7</sup> Defra, [Statutory nuisances: how councils deal with complaints](#), 7 April 2015

## Duty to investigate

When a complaint of nuisance is made a local authority's environmental health officer (EHO) will investigate. This may involve several inspections and the use of monitoring equipment.

The local authority has powers to enter any premises at a reasonable time to determine if a statutory nuisance exists or to carry out work to stop it. It can also apply to a magistrate for a warrant of entry, if entry is refused or the premises are unoccupied.<sup>8</sup>

## Duty to act

While the local authority is obliged to investigate complaints of nuisance, it is for the authority to decide whether a statutory nuisance exists. The investigating officer will make a decision on the whether a nuisance can *reasonably* be said to exist in the specific circumstances and what remedy is necessary.

## Abatement notices

Under Section 80 of the Act, once satisfied that there is a statutory nuisance, a local authority must serve an abatement notice. A notice will impose all or any of the following requirements:

- (a) requiring the abatement of the nuisance or prohibiting or restricting its occurrence or recurrence;
- (b) requiring the execution of such works, and the taking of such other steps, as may be necessary for any of those purposes, and the notice shall specify the time or times within which the requirements of the notice are to be complied with.<sup>9</sup>

Notices are to be served on the responsible person or owner or occupier of the premises.<sup>10</sup> It is an offence to contravene or fail to comply with an abatement notice without a reasonable excuse.<sup>11</sup>

## Appeals

Abatement notices may be appealed within 21 days beginning with the date on which the notice was served.<sup>12</sup>

It may be a defence to show that, "the best practicable means were used to prevent, or to counteract the effects of, the nuisance."<sup>13</sup>

## Failure to comply

If the recipient fails to comply with an abatement notice, the local authority can deal with the cause of the nuisance itself, including carrying out any necessary works.<sup>14</sup> It can recharge its reasonable expenses to the person responsible for the statutory nuisance.<sup>15</sup>

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<sup>8</sup> [Schedule 3 of the EPA 1990: Powers of Entry, etc.](#)

<sup>9</sup> EPA 1990 [Section 80\(1\)](#)

<sup>10</sup> EPA 1990 [Section 80\(1\), \(2\)](#)

<sup>11</sup> EPA 1990 [Section 80\(4\)](#)

<sup>12</sup> EPA 1990 [Section 80\(3\)](#)

<sup>13</sup> EPA 1990 [Section 80\(7\)](#)

<sup>14</sup> EPA 1990 [Section 81\(3\)](#)

<sup>15</sup> EPA 1990 [Section 81\(4\)](#)

## Complaining about the local authority

If a complainant feels that a local authority has not correctly dealt with their concerns, they should contact it again to request further action.

If a complainant remains unsatisfied having gone through all stages of the Council's complaints procedure, the [Local Government Ombudsman](#) (LGO) may be able to investigate a complaint.

The LGO provides information on its website on when and how to complain, what it can and cannot deal with and what the possible outcomes are. In general:

- complainants who have not received a satisfactory response to a formal complaint from the local authority within a reasonable time, usually 12 weeks, may complain to the LGO;
- complaints should be made within 12 months of becoming aware of the matter;
- complainants must be directly affected by the matter;

The LGO website explains that when dealing with a complaint the LGO:

- will take a first look at complaints and advise on the next steps;
- will assess whether it can and should investigate- the LGO cannot overrule the council's decision but can examine how it investigated a complaint;
- if investigating may ask the complainant and the local authority for more information (the LGO has the same powers as the High Court to get information from organisations and will ask for the information it needs to come to a fair decision);
- may publish a final decision on its website (not using real names).

Complaints will usually be dealt with within 26 weeks.

Outcomes vary from a complaint not being upheld at all, to being partially or wholly upheld and recommended actions could involve an apology from, or a reconsideration, change of policy or payment by the local authority.

## 2.3 Private action

The EPA also makes provision for a complainant (individual or company) to make a summary application to a magistrates' court to make an order for abatement or prevention (nuisance orders).<sup>16</sup> Private action can be used where a local authority has not investigated or found that there is no nuisance. It may also be used where the authority itself is the subject of the complaint.

A nuisance may also be actionable in common law outside of the statutory nuisance regime.

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<sup>16</sup> EPA 1990 [Section 82](#)

Anyone considering these options should take legal advice. For further information about finding legal help, please refer to the Library guide, [Legal help: where to go and how to pay](#).<sup>17</sup>

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<sup>17</sup> Library Briefing Paper 03207, 9 June 2017.

### 3. Environmental Permitting and statutory nuisance (England and Wales)

Some nuisances actionable as statutory nuisance are also regulated by the Environmental Permitting (England and Wales) Regulations 2016 (EPR) under section 2 of the Pollution Prevention and Control Act 1999.

The Government published updated [guidance](#) in September 2017 on the relationship between Environmental Permitting and local authorities' statutory nuisance duties in England and Wales.

It explains that where the same event might also be prosecuted by the regulator under the EPR (the [Environment Agency](#) or [Natural Resources Wales](#)), a local authority must obtain the Secretary of State's or Welsh Ministers' consent before prosecuting under Part III of the EPA, although it may still take actions up to and including serving abatement notices.<sup>18</sup>

It also sets out the affected nuisance categories:

The statutory nuisances referred to by section 79(10) EPA are, so far as they are prejudicial to health or a nuisance:

- smoke emitted from premises (b);
- any dust, steam, smell or other effluvia arising on industrial, trade or business premises (d);
- any accumulation or deposit (e);
- artificial light emitted from premises (fb); and
- noise emitted from premises (g).

As the guidance explains, the EPR apply to a wide range of activities, including "regulated facilities" that require a permit, and "exempt facilities" and "excluded waste operations" that do not. The activities are listed in [regulation 8](#) of the EPR.

The guidance explains when a local authority should seek permission to prosecute and recommends liaison with the EPR regulator to confirm the position.

The situation is similar in Scotland and Northern Ireland, see Section 5 for further information.

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<sup>18</sup> DEFRA, [Environmental Permitting \(England and Wales\) Regulations 2016 Interaction between Environmental Permitting and local authorities' statutory nuisance duties](#), September 2017

## 4. Common nuisances

In addition to statutory nuisance and environmental permitting regulation some nuisances are subject to other legislation. Some commonly complained about nuisances are set out below.

### 4.1 Noise

The Government has produced general guidance on complaints about noise: [Noise nuisances: how councils deal with complaints](#); and it has a page which directs users to their council's guidance on noise nuisance, using postcodes: [Report a noise nuisance to your council](#) .

#### Statutory noise nuisance

As the Government guidance explains councils can investigate complaints of statutory nuisance to tackle noise produced at any time of day or night.<sup>19</sup> While a local authority is obliged to investigate complaints of noise, it is for it to decide whether it constitutes a statutory nuisance or not, and there is no set level of noise which triggers this. Officers will consider factors such as time of day and frequency as well as noise volume, when deciding if a nuisance exists and what needs to be done to address this. This will often include talking to the person responsible to persuade them to stop, or restrict the noise.<sup>20</sup>

#### Noise at night

The statutory noise nuisance regime overlaps with the night time noise controls under the [Noise Act 1996](#), which gives local authorities powers to prevent excessive noise between 11pm and 7am. The Government guidance sets out permitted noise levels:

The permitted noise level using A-weighted decibels (the unit environmental noise is usually measured in) is:

34 dBA (decibels adjusted) if the underlying level of noise is no more than 24 dBA

10 dBA above the underlying level of noise if this is more than 24 dBA<sup>21</sup>

Local authorities can issue warning notices for noise at night without it being a statutory nuisance and enter premises and seize equipment. This legislation is aimed at regulating licensed premises but can be used for domestic dwellings also.

#### Intruder alarms

[Part 7](#) of the Clean Neighbourhoods and Environment Act 2005 provides powers for local authorities to deal with noise from audible intruder alarms in their areas.

The Act empowers local authorities to designate 'alarm notification areas' in which those responsible for alarmed premises must nominate a

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<sup>19</sup> DEFRA, [Noise nuisances: how councils deal with complaints](#), April 2015 (England)

<sup>20</sup> EPA 1990 [Section 80\(2A\)](#)

<sup>21</sup> DEFRA, [Noise nuisances: how councils deal with complaints](#), April 2015 (England)

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key-holder and notify the local authority of that key-holder's contact details. It also empowers local authorities to enter premises in order to silence alarms where key-holders cannot be reached or where not in an alarm notification area. These powers of entry apply when an alarm has been sounding for 20 minutes continuously or 1 hour intermittently and is likely to cause annoyance to those in the vicinity.

### Construction noise

Under the [Control of Pollution Act 1974](#), local authorities may with the effect on local residents in mind: specify how work is carried out; the hours when work can take place and a noise limit.<sup>22</sup> Builders can apply for local authority consent to carry out work. Consent could provide a defence against proceedings for contravening a notice under the Act and against local authority action on statutory nuisance under the EPA; however it would not be a defence against private action under the EPA.<sup>23</sup>

### Bird scarers

Noise from auditory bird scarers may be dealt with as statutory nuisance. If bird scaring cartridges are used the Firearms Act 1968 requires a firearms certificate to be obtained. An [NFU Code of Practice](#) provides guidance on their use.

### Transport noise

Statutory nuisance includes noise from individual vehicles on premises or roads but it excludes noise caused by general road traffic, railways and aircraft (but not model aircraft). Gov.uk has a [guidance page on Noise from roads, trains or planes](#) that sets out relevant information.

### Railway noise

The guidance above states that, "There are no legal limits to noise from existing railways."

While there is no statutory limit for railway noise, both Network Rail (the infrastructure owner) and train operators are subject to the statutory nuisance provisions of the EPA.

Some local authorities seem to have been advised by their lawyers that section 122 of the [Railways Act 1993](#), as amended, means that they cannot serve an abatement notice on Network Rail as it provides a statutory defence.

The Department for Transport's view has generally been that a local authority can use the EPA and take a train company (or any other relevant 'statutory authority') to court.<sup>24</sup>

Network Rail's [Noise and vibration](#) guidance provides information about general noise and vibration and how to find out about specific problems.

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<sup>22</sup> [Control of Pollution Act 1974](#) (60)

<sup>23</sup> [Control of Pollution Act 1974](#) (61)

<sup>24</sup> For further information see Library Briefing Paper 7954, [Transport 2017: FAO for new MPs](#), 12 June 2017, (section 6.9)

Defra's [Noise Action Plan: Railways](#) explains measures to control the impact of noise from railways, including compensation and insulation.

### **Aircraft noise**

The Secretary of State for Transport is responsible for policy generally on the control of civil aircraft noise under section 78 of the [Civil Aviation Act 1982](#). These powers are devolved in Scotland to Scottish Ministers. Under section 78(3) the relevant authority may "specify the maximum number of occasions on which aircraft of descriptions so specified may be permitted to take off or land" at airports so designated under section 80 of the same Act.

Further information can be found in the Library briefing paper, [Aviation noise](#).

### **Anti-social behaviour**

Neighbourhood noise may be actionable under anti-social behaviour regulations.

For example, under the [Anti-social Behaviour, Crime and Policing Act 2014 c.12](#) individuals can be issued with notices and premises temporarily closed.

Further information can be found in the Library briefing papers, [Anti-social behaviour- new provisions](#) and [Constituency Casework: Anti-Social Behaviour](#).

## **4.2 Smoke**

As mentioned in Section 3 smoke from industrial premises may be dealt with under the environmental permitting regime.

### **Bonfires**

In addition to being a possible statutory nuisance if they are frequent, bonfires may breach other legislation.

As the Government webpage, [Garden bonfires: the rules](#), states, "There are no laws against having a bonfire, but there are laws for the nuisance they can cause." It provides guidance and advice on what to do with household waste, the harm or nuisance constituted by bonfires, and complaints to and action by the council.

The [Clean Air Act 1993](#) prohibits the burning of trade or industrial waste on bonfires, where it produces dark smoke, whether the bonfire is on a domestic property not.

Bonfires near roads could fall under the [Highways Act 1980](#) which prohibits lighting a fire near a highway.

The EPA also prohibits the treating, keeping or disposal of controlled waste in a manner likely to cause pollution of the environment or harm to human health. "Controlled waste" includes household, industrial and commercial waste.<sup>25</sup>

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<sup>25</sup> EPA 1990 [Section 33](#)

### 4.3 Smells and fumes

Smells may constitute statutory nuisance but may be more effectively controlled as industrial emissions under environmental regimes and the [Pollution Prevention and Control Act 1999](#) which requires environmental permits for a range of activities. Adherence to the terms of environmental permits may provide some defence against any action taken under statutory nuisance regulations.

The Government guidance, [Nuisance smells: how councils deal with complaints](#) (7 April 2015) provides further information.

Fumes and gases from premises other than private dwellings are excluded from statutory nuisance.<sup>26</sup> These are usually subject to the environmental permitting regime (see sections 3 and 5).

### 4.4 Light

There are no set levels for light to be considered a statutory nuisance. Artificial light nuisance may be caused by security lights, floodlit sports facilities, lighting of buildings or landscapes and light or laser shows.

How local authorities assess light nuisance is set out in Government [guidance](#).<sup>27</sup>

As mentioned in section 2.1, artificial light from airports, harbours, railways, bus stations and goods vehicle depots is exempt from statutory nuisance law.

Natural light is not covered by statutory nuisance laws.

### 4.5 Trees and hedges

Part 8 of the [Anti-social Behaviour Act 2003](#) introduced a process for administering complaints about high hedges in England. The complaints procedure is expected to be used as a last resort when people have tried and failed to solve disputes by negotiation with their neighbours.

Government guidance about assessing anti-social behaviour under the Act, is given below. Tree litter is mentioned as a possible nuisance in the guidance; but is considered unlikely to be regarded as a significant problem under this legislation.

The GOV.UK website on Resolving Neighbourhood Disputes, includes a section on [High Hedges, Trees and Boundaries](#)<sup>28</sup> which explains the full process.

### 4.6 Condition of premises, accumulations of rubbish, infestations and litter

Rat infestations, litter, insects and general waste can constitute a nuisance and be dealt with under the EPA and the [Clean](#)

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<sup>26</sup> EPA 1990 [Section 79 \(4\)](#)

<sup>27</sup> Defra, [Artificial light nuisances: how councils deal with complaints](#), 7 April 2015

<sup>28</sup> [High Hedges, Trees and Boundaries](#) Office of the Deputy Prime Minister 2007, (viewed 14/3/17).

[Neighbourhoods and Environment Act 2005](#). Councils have a duty to act if they identify a statutory nuisance. Rats and rubbish will often be dealt with a council's pest and waste control teams free of charge.

The [Anti-Social Behaviour and Policing Act 2014](#) contains provision for acting on nuisance such as litter and accumulation of garden rubbish.

If the condition of the garden is adversely affecting the amenity of the area, the local planning authority can also use Section 215 of the [Town and Country Planning Act 1990](#) (TCPA).

[Section 59](#) of the EPA Act 1990 makes it an offence to deposit controlled waste, such as household rubbish, on land that does not have a waste management licence attached to it. A local authority or the Environment Agency can issue a notice on an occupier or landowner to clear controlled waste that has been illegally deposited. It is an offence not to comply with a notice, if no appeal is made. The authorities can also enter land and clear it, and recover reasonable costs.

## 5. Scotland and Northern Ireland

### 5.1 Statutory nuisance legislation

Statutory nuisance legislation in Scotland and Northern Ireland have similar regimes as England and Wales, under the Public Health etc. (Scotland) Act 2008, and Clean Neighbourhoods and Environment Act (Northern Ireland) 2011.

#### Scotland

Part 9 of the [Public Health etc. \(Scotland\) Act 2008](#) amends the EPA 1990 in respect of several categories of statutory nuisance:

- This Part amends the Environmental Protection Act 1990 (“the 1990 Act”) for Scotland to constitute insect infestation, artificial light pollution, and nuisance associated with water on land as statutory nuisances for the purposes of Part III of the 1990 Act. It introduces a regulation-making power to amend the statutory nuisance regime in the future, and enables local authorities to offer a fixed penalty to persons who fail to comply with the requirements of an abatement notice served under section 80(1) of the 1990 Act.
- This Part also amends the Water Services etc. (Scotland) Act 2005 to remedy an unforeseen dis-application of the enforcement provisions in schedule 3 to the 1990 Act as regards sewerage nuisance.<sup>29</sup>

The Scottish Government has [guidance](#) for applying the legislation:

This guidance is provided to assist with application of the new and amended statutory nuisance provisions of the Environmental Protection Act 1990 (the 1990 Act) introduced by the Public Health etc (Scotland) Act 2008 (the 2008 Act).

It explains that the Act brings Scotland into line with the rest of the UK:

The Clean Neighbourhoods and Environment Act 2005 (CNE Act) introduced new statutory nuisances in England and Wales relating to insect nuisance and artificial light pollution. The 2008 Act presented the opportunity to include these same nuisances into the Scottish regime to bring parity of approach for local authorities across the UK.<sup>30</sup>

#### Northern Ireland

Part 7 of the [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011](#), among other provisions:

- sets out a definitive list of statutory nuisances;
- re-enacts the existing duty on councils to inspect their districts;
- streamlines the procedures for nuisance abatement action by district councils;

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<sup>29</sup> Public Health etc. (Scotland) Act 2008, [Explanatory Notes](#)

<sup>30</sup> Scottish Government, [Guidance to accompany the Statutory Nuisance Provisions of the Public Health etc \(Scotland\) Act 2008](#), 2009

- enables councils to charge for and recover costs of abating a statutory nuisance;
- provides for offences for removing or interfering with a notice fixed to a vehicle, machinery or equipment;
- provides for private action by an individual; and allows a court of summary jurisdiction to impose fines, order abatement nuisances, prevent habitation of unfit housing, and require defendants to pay compensation.<sup>31</sup>

NI Government [guidance](#) to District Councils explains how the Act brings Northern Ireland broadly into line with the rest of the UK.

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## 5.2 Environmental permitting

As in England and Wales, local authorities in Scotland and Northern Ireland may need government consent to prosecute some statutory nuisances.

The Government guidance on the Public Health etc. (Scotland) Act 2008 states:

...a local authority cannot take action without Government consent where action could be taken under regulations made under section 2 of the Pollution Prevention and Control Act 1999.<sup>33</sup>

The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 states:

A district council shall not without the consent of the Department institute summary proceedings under this Part in respect of a nuisance falling within paragraphs (b), (d), (e), (h) or (i) of subsection (1) if proceedings in respect thereof might be instituted under—

- a) regulations under Article 4 of the Environment (Northern Ireland) Order 2002 (NI 7); or
- b) the Industrial Pollution Control (Northern Ireland) Order 1997 (NI 18).<sup>34</sup>

For Scotland and Northern Ireland the respective principal environmental regulators are the [Scottish Environment Protection Agency \(SEPA\)](#), and the [Northern Ireland Environment Agency \(NIEA\)](#).

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<sup>31</sup> Clean Neighbourhoods and Environment Act (Northern Ireland) 2011, [Explanatory Notes, Part 7](#)

<sup>32</sup> DoENI, [Statutory Nuisance. Guidance to District Councils on Part 7 \(Statutory Nuisances\) of the Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011](#), 2012

<sup>33</sup> Scottish Government, [Guidance to accompany the Statutory Nuisance Provisions of the Public Health etc \(Scotland\) Act 2008](#), 2009

<sup>34</sup> [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011, S63 \(14\)](#)

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