



Policy Title: Noise Nuisance Policy	
Author (Owner): Housing Operations Manager	
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1. Purpose

- 1.1 Soho Housing Association aims to promote a safe and peaceful environment for all its residents and their visitors.
- 1.2 The Policy aims to outline our responsibilities, those of our residents, and explain how noise complaints are investigated and resolved. This policy sets out our approach to managing reports of noise nuisance within our properties and estates.

2. Scope

- 2.1 This policy covers all tenants, leaseholders and their visitors.
- 2.2 For the purposes of this policy, the definition of anti-social behaviour (ASB) used is as it is defined in the Environmental Protection Act 1990 (EPA 1990), Part III, which deals with “statutory nuisances”, the Housing Act 1996 and the Anti-social Behaviour, Crime and Policing Act 2014

The Environmental Protection Act 1990 Part III, Section 79(1)(g) defines noise nuisance as:

‘Noise emitted from premises (including land, buildings, vehicles, machinery, etc.) that is prejudicial to health or constitutes a nuisance’

- 2.3 Nuisance is not defined directly in an act, so the common law meaning applies thus, for noise to be a statutory nuisance, it must be:

- 2.3.1 Excessive or unreasonable, and

- 2.3.2 Affecting someone’s use or enjoyment of their property, or likely to cause harm to health.

- 2.4 The Housing Act 1996, Section 153A–153E (as amended) defines noise in the context of anti-social behaviour in that it refers to conduct that causes or is likely to cause “nuisance or annoyance” to others in the locality.

- 2.5 Anti-social Behaviour, Crime and Policing Act 2014, Section 2(1) defines anti-social behaviour as:

- 2.5.1 Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,”



- 2.5.2 Conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises.
- 2.6 This section also applies if the conduct is "housing-related" in that it directly or indirectly relates to or affects the housing management functions of a housing provider.

3. Policy Statement

- 3.1 Soho Housing Association recognises that noise can have a negative impact on a resident's quality of life. We also recognise that there are different levels of tolerance and expectations to noise from the person experiencing it; meaning that for one person a certain level or type of noise may be excessive, or anti-social, but another may see it differently. Our approach is to remain objective but sympathetic to our residents' perceptions.
- 3.2 Noise from neighbouring homes is sometimes unavoidable and whilst we will address each report on a case-by-case basis we will not be able to resolve all reported cases. Soho Housing Association is committed to ensuring that all of its residents can live comfortably and free from unreasonable noise.
- 3.3 We will respond to reports of noise nuisance promptly, take proportionate action, and work collaboratively with residents, local authorities, and other partners to maintain community wellbeing.
- 3.4 Examples of the type of noise that this policy covers are:
 - 3.4.1 Loud amplified music or excessive noise from a television or radio
 - 3.4.2 DIY and building activities
 - 3.4.3 Shouting and excessive banging from a property
 - 3.4.4 Persistent dog barking
 - 3.4.5 Noise from vehicles, machinery or equipment

4. Policy Approach

- 4.1 Soho Housing Association recognises the detrimental effect that noise nuisance has on the lives of residents and on the wider community. However, it is important that complainants are clear about both the circumstances in which Soho Housing Association can intervene and the sanctions that are available to us.
- 4.2 We will not raise expectations that we can take action where we are not able to or where the primary responsibility and resolution powers lie elsewhere.
- 4.3 Where it is our responsibility, Soho Housing Association will take prompt, appropriate and decisive action to deal with noise nuisance before it escalates and will work with relevant partners (e.g. local authorities, Police, social services, etc) to meet those responsibilities.

4.4 We will work to prevent noise nuisance by a range of means, including but not limited to:

- 4.4.1 Asking all new tenants to sign a Good Neighbour Agreement.
- 4.4.2 Encourage residents to report noise nuisance to Soho Housing Association via the Noise App or to their local authority's Environmental Health team.
- 4.4.3 Use Acceptable Behaviour Contracts (ABCs), mediation and warnings.
- 4.4.4 Offer referrals to support services for perpetrators and victims.
- 4.4.5 Work with landlords to enforce tenancy agreements, where applicable.
- 4.4.6 Work with partner agencies to tackle 'statutory' noise nuisance issues using powers not available to us, such as serving Noise Abatement Notices/Orders, Fixed Penalty Notices and Community Protection Notices/Orders.
- 4.4.7 Monitoring and reviewing our performance.

5. Resident responsibilities

- 5.1 Residents, however, must acknowledge that day-to-day activities, resulting in regular noise or minor disturbances cannot be avoided, and accept that sometimes, while the behaviour of another household may be frustrating, it may not be reasonable to place restrictions on their usual enjoyment of their home.
- 5.2 Examples of what Soho Housing Association will not investigate as noise nuisance includes but are not limited to:
 - 5.2.1 Hammering, drilling, or other work done at reasonable times of day
 - 5.2.2 Occasional dog barking that does not go on for extended periods of time
 - 5.2.3 Footsteps, children playing, doors closing, conversations in adjacent properties or items being dropped on the floor occasionally
 - 5.2.4 One-off events like a birthday or a religious celebration
 - 5.2.5 Sounds associated with normal household use at reasonable hours
 - 5.2.6 Using washing machines or hoovers during normal daytime hours

6. Reporting noise nuisance

- 6.1 Residents, representatives, members of the community, our partners, the police and other agencies can report noise nuisance to Soho Housing Association either by phone, online, or in writing.
- 6.2 If, after considering the complaint, we are unable to take action on behalf of the complainant/reporting party, we will explain why and point residents towards agencies or to information which may be able to offer advice and support.
- 6.3 When considering whether a case is or isn't noise nuisance, we will take into account vulnerabilities or any other issues facing a resident, and how this might impact their ability to resolve issues without support.
- 6.4 Where issues are not noise nuisance, we may refer residents to other agencies who could offer them support should it be required.

- 6.5 Soho Housing Association will encourage and advise residents to resolve minor issues between themselves, if at all possible.

7. Noise nuisance case management

- 7.1 Soho Housing Association will treat those who been affected by noise nuisance sympathetically and sensitively. During the course of receiving and logging a report we will seek to identify if there are any vulnerabilities, support needs or circumstances relating to the reporting parties, victims and witnesses, as well as of the household and the other party/alleged perpetrator who is accused of committing noise nuisance and adjust our approach as necessary.
- 7.2 In the investigation and management of noise nuisance Soho Housing Association will:
- 7.2.1 Agree an action plan with the reporting party, victims and witnesses, and keep them updated throughout the case. The action plan can be updated to reflect new information or new incidents related to the case. Action plans will show decisive actions taken (e.g. police disclosure, interview the other party, etc) and a timeline for communicating delivery.
 - 7.2.2 Where necessary, arrange an interview at the place of choosing of the reporting party, victims and witnesses, and identify any circumstances or needs that should be factored into the handling of the case.
 - 7.2.3 Follow Safeguarding procedures if there are concerns regarding a vulnerable adult at risk or where children are involved. We may also, arrange support from other parties who can help, including the police and local authorities.
 - 7.2.4 Provide advice and support. This could include making referrals to other agencies that can provide assistance and, where appropriate, empowering the reporting party, victims and witnesses to take positive action, e.g. support to gather evidence, and identifying any appropriate security measures to ensure that residents are safe in their property, or taking other necessary measures.
- 7.3 A Victim Risk Assessment Matrix (VRAM) will be completed on all noise nuisance cases to measure the harm caused to the victims and to guide staff on the actions to take to protect victims from further harm.
- 7.4 Staff will use their skills, experience and judgement when assessing cases and agreeing on actions with the reporting party, victims and witnesses, but will also be supported (and monitored) by the Housing Operations Manager, including, ensuring that cases are progressed in a timely manner and in accordance with this policy and the related procedures.
- 7.5 We will keep under review the information about cases, including vulnerabilities and circumstances relating to all parties, and adjust our approach to managing the case as necessary.



- 7.6 We are committed to protecting personal information in line with the Data Protection Act 2018. Information Sharing Protocols are in place with key local agencies, designed specifically to facilitate and govern the effective use of information sharing relating to the manage noise nuisance. These ensure that all personal and sensitive information is protected in line with data protection

8. The Noise App

- 8.1 All complainants will be encouraged to use the Noise App in order to help Soho Housing Association manage noise nuisance cases and is preferable to using noise nuisance diary sheets – some complainants may prefer to use this method, and it remains an option.
- 8.2 The Noise App is a smartphone application provided free of charge to resident that allows them to record short sound clips of noise disturbance and submit them securely to Soho Housing Association.
- 8.3 The app captures multiple simultaneous real-time data points from the user and the device to deliver an accurate picture of each case. Data points include audio, photo, video, geolocation, postcode + UPRN, time, date and many more to support accurate investigation and analysis
- 8.4 The app provides objective evidence of the problem and helps us assess whether the issue amounts to a potential nuisance.
- 8.5 These submissions will be reviewed by the housing team, and may also be used as evidence in court cases or in partnership with Environmental Health or the Police if required.

9. Enforcement and intervention actions

- 9.1 We will use whatever powers and remedies are available and appropriate, including those that can be used in respect of non-Soho Housing Association residents who are causing intrusive noise. We will also work with partners such as Environmental Health Teams to take preventative and enforcement action such as asking them to issue Community Protection Notices/Orders, serving Noise Abatement Notices/Orders or issuing Fixed Penalty Notices

To enforce the Policy we will:

- 9.1.1 Communicate to residents that Soho Housing Association takes noise nuisance extremely seriously, and outline the potential consequences for any resident identified as perpetrating noise nuisance (e.g. eviction).
- 9.1.2 Take prompt, appropriate and decisive action to prevent the problem escalating, for example the use of warning letters, mediation and acceptable behaviour contracts.

- 9.1.3 Use of the full range of tools and legal powers available. Enforcement action will be based on the nature of the noise nuisance and the responsibilities of the other party, e.g. in the tenancy or lease agreement. Soho Housing Association will ensure that actions are proportionate and achieve a legitimate aim (e.g. to prevent a tenant perpetrating further noise nuisance).
- 9.1.4 Where we are considering taking eviction action, we will ensure the case satisfies the required legal conditions and if possible, that we have carried out checks to identify if the tenant is vulnerable and has capacity. Tenants have a legal right to request a review of the decision if we pursue eviction using the grounds for absolute possession or early termination of a probationary tenancy.

10. Working with perpetrators

- 10.1 Soho Housing Association is committed to preventing and stopping noise nuisance by addressing the behaviour of perpetrators and not simply moving the behaviour away from one neighbourhood into another. However, this approach will be balanced against the need to protect the safety and quiet enjoyment of our neighbourhoods.
- 10.2 We will take a holistic approach to assessing the support needs of the perpetrators as well as their victims. We may refer residents to specialist external support agencies and/or floating support. We acknowledge that some perpetrators of noise nuisance may themselves be vulnerable
- 10.3 In all cases, we will investigate their circumstances and signpost them to support that may be available.
- 10.4 Where appropriate we will work with perpetrators to understand the reasons behind their behaviour and give them an opportunity to change.
- 10.5 In all cases, Soho Housing Association will ensure that all support needs have been considered, and legal action is fully justified.

11. Case closure

- 11.1 Soho Housing Association will always try to contact the resident before closing a noise nuisance case to discuss it with them. If we are unable to make contact, we will write to the resident explaining why we are closing the case.
- 11.2 Soho will close noise nuisance cases in the following circumstances:
 - 11.2.1 Where we conclude that noise nuisance has not taken place, has ceased or was a one-off event.
 - 11.2.2 Where we have delivered the actions that are appropriate, and we believe there is no further action necessary.



- 11.2.3 Where we have passed the case to a third party which is better placed to deal with the problem, and there is no further action for Soho Housing Association.
- 11.2.4 Where the reporting party, victims and witnesses fail to engage with Soho Housing Association or our assessment and/or investigations leads us to conclude that no further action is needed.
- 11.3 We may also close cases in the following circumstances:
 - 11.3.1 The complainant/reporting party fails to provide information requested by us to enable us to progress the case;
 - 11.3.2 There is insufficient evidence; or
 - 11.3.3 No further action is possible.

12. Monitoring and evaluation

- 12.1 Current noise nuisance cases will be monitored, and residents will be kept in regular contact about their case.
- 12.2 Where identified, we will review and report our performance on noise nuisance reports to our senior management teams, our Board, community safety partnerships, our residents, and to the regulator.
- 12.3 We will also contact residents who have used our services to ask them their views via an ASB case closure survey and this information will be reported on and used to improve the services that we offer.

13. Policy equality and diversity statement

- 13.1 Soho is committed to valuing and promoting equality and diversity. We recognise we have a duty to eliminate unfair treatment and discrimination in the services we provide and to promote and value respect in everything we do. We expect our staff to share these values and treat all customers with fairness and respect.

14. Legislation, Regulation and Guidance

- 14.1 The following legislation was used in preparation this noise nuisance policy:
 - 14.1.1 S.218 of the Housing Act 1996 (as introduced by S.12 of the Anti-Social Behaviour Act 2003), which requires housing associations to prepare a policy and procedure on ASB.
 - 14.1.2 The Crime and Disorder Act 1998, which places a duty on housing associations to work in partnership with the police and local authorities to tackle crime and disorder. It includes new offences and higher penalties for

racist violence and harassment.

- 14.1.3 The Human Rights Act 1998, which requires us to take action that is reasonable and fair in response to the type of behaviours committed.
- 14.1.4 The Homelessness Act 2002, which requires us to consider all other options before possession proceedings are pursued to prevent homelessness.
- 14.1.5 The Police and Justice Act 2006, which requires housing associations to respond to local authority scrutiny committee reports and 'Community Calls for Action'.
- 14.1.6 The Data Protection Act 2018, which requires that housing associations safeguard the rights of individuals to confidentiality and privacy.
- 14.1.7 The Equality Act 2010, which prohibits unlawful discrimination against the nine 'protected characteristics' of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 14.1.8 The Anti-Social Behaviour, Crime and Policing Act 2014 Section s.1(2)(a) and 2(1)
- 14.1.9 The Environmental Protection Act 1990, Section 79(1)(g)

15. Definitions

- 15.1 The statutory definition of noise nuisance primarily comes from the Environmental Protection Act 1990 (EPA 1990), Part III, Section 79(1)(g) which deals with "statutory nuisances".
- 15.2 It defines noise nuisance as noise emitted from premises (including land, buildings, vehicles, machinery, etc.) that is prejudicial to health or constitutes a nuisance.
- 15.3 The same section of the EPA 1990 defines Prejudicial to health as 'injurious, or likely to cause injury, to health'.
- 15.4 Nuisance is not defined directly in the statute, so the common law meaning applies. Under common law, a nuisance is an unreasonable interference with the use or enjoyment of land. Thus, for noise to be a statutory nuisance, it must be excessive or unreasonable, and affecting someone's use or enjoyment of their property, or likely to cause harm to health.
- 15.5 'Affecting housing management functions' is a term used to describe activity which unreasonably interferes or could interfere with a resident's ability to use and enjoy their home, garden, or neighbourhood.
- 15.6 Soho Housing Association terminology:

- 15.6.1 Reporting party' or 'complainant' is someone who reports an alleged incident of noise nuisance
- 15.6.2 A 'victim' will typically have been hurt, damaged, or suffered as a result of the action of the alleged perpetrator
- 15.6.3 A 'witness' will have seen or heard an event happening which is alleged to be noise nuisance
- 15.6.4 Other party' or 'alleged perpetrator' is someone who is accused or been found to have committed noise nuisance

16. Partnership responsibilities

- 16.1 We will be proactive in developing partnership working arrangements with other agencies. The types of organisations that we will work with include:
 - 16.1.1 **National** – Central Government, Homes England and the Regulator of Social Housing.
 - 16.1.2 **Regional** – Greater London Authority, County Councils, Metropolitan Police Authority, County Police forces and other regional structures.
 - 16.1.3 **Council** – Local Authorities, District/ Unitary Authorities.
 - 16.1.4 **Neighbourhood** – Safer Neighbourhood teams, Housing Associations, resident associations/ committees, community groups, voluntary agencies.
- 16.2 We will develop partnership working by participating in, and co-operating with:
 - 16.2.1 Crime and Disorder Reduction Partnerships (CDRPs)
 - 16.1.2 Community Safety Partnerships.
 - 16.2.3 Multi-Agency Risk Assessment Conferences (MARAC's).
 - 16.2.4 Safer Neighbourhood meetings.
 - 16.2.5 Resident Associations' meetings.
 - 16.2.6 ASB Panels/ Forums.
 - 16.2.7 Housing Association forums.
 - 16.2.8 Regeneration partnership meetings.

17. Regulatory framework

- 17.1 **Neighbourhood and Community Standard: Required outcomes**
 - 17.1.1 Neighbourhood management: Registered providers shall keep the neighbourhood and communal areas associated with the homes that they own clean and safe. They shall work in partnership with their tenants and other providers and public bodies where it is effective to do so.



- 17.1.2 Anti-social behaviour: Registered providers shall work in partnership with other agencies to prevent and tackle anti-social behaviour in the neighbourhoods where they own homes.

17.2 Neighbourhood and Community Standard: Specific expectations

- 17.2.1 Registered providers shall publish a policy on how they work with relevant partners to prevent and tackle anti-social behaviour (ASB) in areas where they own properties.
- 17.2.3 In their work to prevent and address ASB, registered providers shall demonstrate:
- (a) that tenants are made aware of their responsibilities and rights in relation to ASB
 - (b) strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies
 - (c) a strong focus exists on preventative measures tailored towards the needs of tenants and their families
 - (d) prompt, appropriate and decisive action is taken to deal with ASB before it escalates, which focuses on resolving the problem having regard to the full range of tools and legal powers available
 - (e) all tenants and residents can easily report ASB, are kept informed about the status of their case where responsibility rests with the organisation and are appropriately signposted where it does not
 - (f) provision of support to victims and witnesses

18. Related documents

- ASB Procedure
- ASB Policy

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1	New Policy	November 2025	Not applicable	Executive Team