

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** EIR-17-1414 - Noise Complaints  
**Date:** 30 October 2017 15:02:28  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)

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Dear [REDACTED],

Thank you for your information request of 9 October 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**Regarding the issue of statutory nuisance and noise abatement complaints received by your authority, could you please provide responses to the following questions covering the two time periods stated below.**

**I am only interested in Domestic noise abatement orders (rather than Commercial).**

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**Please include all statutory nuisance complaints.**

		<b>1st August 2015 – 31st July 2016</b>	<b>1st August 2016 – 31st July 2017</b>
<b>1</b>	<b>How many statutory nuisance complaints did the council receive?</b>	5138	5198
<b>2</b>	<b>How many noise abatement orders did the council issue?</b>	98	80
<b>3</b>	<b>How many noise abatement orders have been broken?</b>	0	0
<b>4</b>	<b>How many fines were given out for broken noise abatement orders?</b>	1	1
<b>5</b>	<b>What was the total value of these fines?</b>	£100	£100

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In terms of noise abatement orders. The ASBIT Team do not issue noise abatement orders, we issue a warning notice under Part 5 of the Antisocial Behaviour etc. (Scotland) Act 2004. The numbers that I have populated in the FOI relate to warning notices served.

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**How many complaints has the council received for each of the following categories in the time periods below?**

**With regards to the categories, these have been grouped from the Environmental Protection Act 1990. They relate to groupings of types of statutory nuisance complaints so if you could please breakdown your response to these groupings I would be very grateful.**

**Specifically I am looking for the number of complaints made to the council regarding properties that have allowed waste to build up around their property. Therefore, this should not include fly tipping (which will not concern specific properties) nor should it include the failure of refuse collectors to collect bins on certain routes. Essentially, I am looking to record the number of complaints made by neighbours about nearby properties, which can involve noise, light or physical waste pollution.**

To help explain what I mean by a “build-up of rubbish”, I have provided a few examples below:

- Leaving large rubbish items (such as furniture or mattresses) in the front garden
- Having overflowing refuse bins
- Allowing waste items (such as crisp packets, bottles or carrier bags) blown into the front garden to accumulate

Issue	Number of complaints from 1st August 2015 – 31st July 2016	Number of complaints from 1st August 2016 – 31st July 2017
Noise (including loud music and barking dogs)	4028	4133
Artificial light (except street lights)	21	11
Smokes, fumes or gases	64	86
A build-up of rubbish	187	164
High hedges, trees or boundaries	2 High Hedges* 1 Tree	1 High Hedge* 1 Tree
Animals – e.g. smells, damage, number of animals	27**	28**
Condition and maintenance of domestic premises	260***	339***
Parking and vehicles including mobile homes, caravans and all other motorised and non-motorised vehicles	This figure is not kept as any vehicle is reported as an abandoned vehicle and is treated as such	This figure is not kept as any vehicle is reported as an abandoned vehicle and is treated as such

**If possible, could you please provide the information in the tables provided?**

\*The figures quoted in question 2 relating to high hedge complaints solely relate to valid applications received during each period for the serving of a high hedge notice under the High Hedges (Scotland) Act 2013.

\*\*Figure relates to domestic smells. Animals smells are included in this category as well as other domestic smell issues.

\*\*\*Condition and maintenance includes: water overflows, water penetration, penetrating damp, condensation, structural defect, sound insulation.

ACC is unable to provide you with information on **Parking and vehicles including mobile homes, caravans and all other motorised and non-motorised vehicles** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

We hope this helps with your request.

Yours sincerely,

Grant Webster  
Information Compliance Officer

### **INFORMATION ABOUT THE HANDLING OF YOUR REQUEST**

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you have requested under Regulation 5 of the EIRs, under which ACC has handled your request. Please refer to the attached PDF for more information about your rights under the EIRs.

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