

Statutory Nuisance

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What can be a statutory nuisance. Issues that may be a statutory nuisance include: noise from premises or from vehicles, equipment or machinery in the street; smoke from premises

Statutory nuisances: how councils deal with complaints ...

To fall within the definition of statutory nuisance, an activity needs to be, or likely to be: A nuisance is something which is unreasonable and causes substantial interference in the use and...

What is Statutory Nuisance? - Eden District

in relation to a statutory nuisance, means the person to whose act, default or sufferance the nuisance is attributable; (b) in relation to a vehicle, includes the person in whose name the vehicle...

Environmental Protection Act 1990 - Legislation.gov.uk

Statutory nuisances: how councils deal with complaints (gov.uk website) Examples of things that can't be or have been found not to constitute a nuisance: A person carrying out DIY during the day...

Statutory nuisances explained | Statutory nuisances ...

What is a statutory nuisance? Statutory nuisance is generally defined as nuisance that is unreasonable and significant, and which has an unreasonable effect on a person's enjoyment of their property. It is much more than just something that is annoying. Examples of statutory nuisance include the following. Unreasonable and very loud noise

Statutory nuisance - general advice

Statutory nuisance is defined in section 79 of the Environmental Protection Act 1990 (EPA 1990) as '... any premises in such a state as to be prejudicial to health or a nuisance'. [1] Each element of this definition is examined in detail below.

Shelter Legal England - Definition of statutory nuisance ...

A 'statutory nuisance' can be defined as a matter which is unreasonable and causes substantial interference in the use and enjoyment of a person's property. For a matter to be actionable as a...

What is statutory nuisance? | Shropshire Council

A statutory nuisance is something that, under the Environmental Protection Act 1990, affects a person's health or causes disturbance to them in their property. Nuisance can broadly be defined as...

Introduction - Statutory nuisance - Telford & Wrekin Council

Noise in street to be a statutory nuisance 2. Noise in street to be a statutory nuisance. 3.

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Noise and Statutory Nuisance Act 1993 - Legislation.gov.uk

Councils must look into complaints about noise that could be a 'statutory nuisance' (covered by the Environmental Protection Act 1990). For the noise to count as a statutory nuisance it must do one...

Noise nuisances: how councils deal with complaints - GOV.UK

There is no set definition of the term 'nuisance', but case law since the Act came in to force helps determine what is considered to be a nuisance. For something to be a statutory nuisance it must...

Statutory nuisance - Chesterfield

Statutory nuisance is a tort established by a specific Act or statutory instrument. The Environmental Protection Act 1990 provides the example most relevant to housing conditions. Some of the problems that might constitute a statutory nuisance are noise, and serious disrepair to a property. F

When housing conditions are statutory, public or private ...

Private and statutory nuisance Nuisance is a long established area of law where you can claim in relation to someone else doing something that adversely affects your property. This is obviously important for environmental issues such as noise and smell. You take civil proceedings for nuisance ("private nuisance") in the High Court or County Court.

Private and statutory nuisance | Richard Buxton Solicitors

In making a judgement on whether the noise affecting you is just an inconvenience rather than a statutory nuisance. Reference has to be made to the duration, level and number of times in a set period that nuisance is caused. If, however, the noise were a one off such as a 40th Birthday Party for example, this is less likely to be viewed as a statutory nuisance.

What constitutes a statutory nuisance? - runnymedemobile

Statutory nuisance is more than a mere annoyance and will have a significant impact on the health and wellbeing of anyone affected. You can make a claim of statutory nuisance to your local authority. Your local authority will then make the decision to intercede or not.

Statutory nuisance - Dealing with statutory nuisance

3 How local authorities enforce statutory nuisance provisions . Who can take action against a statutory nuisance? Duties to inspect and investigate . Duty to serve an abatement notice. The role of the EHO in deciding whether a statutory nuisance exists. Power to undertake necessary works.

Statutory nuisance | Practical Law

The possible statutory nuisances are: noise from premises or from vehicles, equipment or machinery in the street smoke, fumes or gases from premises (for example, bonfires) dust, steam or smells...

Statutory nuisance - Newcastle City Council

Usually for a statutory nuisance to exist it would need to comprise one or both of the below: unreasonably and substantially interfere with the use or enjoyment of a home or other premises injure...

The second edition of Statutory Nuisance: Law and Practice continues to provide an invaluable guide to the practical and legal issues associated with statutory nuisance. It analyses the scope of statutory nuisance, the powers of local authorities, and the prosecution of nuisances. It also covers proceedings brought by private individuals.

This work focuses exclusively on statutory nuisance, a practice widely used by local authorities and individuals as a means of resolving a range of problems including neighbour noise, pollution and poor housing quality. The book adopts a practical approach and provides a comprehensive statement of the law and how it can be applied in practice.

Statutory Nuisance helps deal with concerns amongst local authorities as to when they can serve an abatement notice and when they do, what must be included. Clear, practical advice and guidance on this critical area of law is given through examination of the current regulations and case law concerning nuisance in the forms of breaches of orders and notices, especially in the areas of health and safety, environment and local government.

Statutory Nuisance and Residential Property: Environmental Health Problems in Housing examines the statutory nuisance provisions in the Environmental Protection Act 1990 pertaining to the condition of premises and related problems in housing and compares these with the provisions of the Housing Act 2004. The book discusses the separate development of statutory nuisance and housing legislation in an historic context, which provides a useful basis for the understanding and interpretation of legislation and the different remedies available today. The work includes a chapter on actions by "persons aggrieved" using section 82 of the Environmental Protection Act 1990 and also considers remedies provided in the Anti-social Behaviour, Crime and Policing Act 2014. This book: • investigates housing problems in the context of the relevant law; and • demonstrates how to use the legal framework appropriately and be able to decide on the most appropriate provision for dealing

with environmental health problems associated with residential property. This is an essential and practical book for environmental health and housing professionals, as well as for advisers and lawyers in the private and public housing sectors.

Guiding you through each step, Statutory Nuisance takes you from initial assessment of a potential nuisance, through document drafting to the magistrates' court and beyond to the higher courts. Clear, readable and user friendly this book provides lucid explanation, practical guidance and the primary materials needed in court - all in one handy volume. Accessible to the layman, yet illuminating to the experienced practitioner, this title expresses a view on the issues not yet resolved by the courts. The new 4th edition covers the significant legislative changes such as: - The Anti-Social Behaviour, Crime and Policing Act 2014 - Coventry v Lawrence [2014] - Lorna Grace Peires v Bickerton Aerodromes Ltd [2016] - Forster v The Secretary of State for Communities and Local Government [2016] - Cocking v Eacott [2016]

If you want to find a book that gives thought to practical considerations, health and safety, and an extremely useful Best Practice Guidance for inspection/survey of nuisance mine entrances and their remediation along with a plethora of relevant considerations, this Statutory Nuisance guidebook is for you! This How To Find Abandoned Mines book illustrates many of the issues around abandoned mine entrances, the Legislation (England & Wales), guidance available, and sources of information. While aimed at Local Authorities in England & Wales, it is of use to anyone with responsibility for abandoned mines, such as landowners, land managers, occupiers, etc. This guidebook is offered in locating and identifying abandoned mines, applying the Legislation, where to find help and information, heritage and conservation issues, and in securing any open dangerous mine entrances discovered.

This publication follows on from and updates an investigation completed in 2006/7, funded by the Chartered Institute of Environmental Health and the Department for Environment, Food and Rural Affairs. The original investigation had the aim of establishing the awareness of Local Authority Environmental Health Departments of the issue of Statutory Nuisance mine shafts. The purpose of this publication is to provide an update in terms of legislation, recent events, technology, to act as a more concise reference document on the duties of Local Authorities and others, and to update the best practice in terms of inspecting and securing Statutory Nuisance mine entrances.

Statutory Nuisance and Residential Property: Environmental Health Problems in Housing examines the statutory nuisance provisions in the Environmental Protection Act 1990 pertaining to the condition of premises and related problems in housing and compares these with the provisions of the Housing Act 2004. The book discusses the separate development of statutory nuisance and housing legislation in an historic context, which provides a useful basis for the understanding and interpretation of legislation and the different remedies available today. The work includes a chapter on actions by "persons aggrieved" using section 82 of the Environmental Protection Act 1990 and also considers remedies provided in the Anti-social Behaviour, Crime and Policing Act 2014. This book: * investigates housing problems in the context of the relevant law; and * demonstrates how to use the legal framework appropriately and be able to decide on the most appropriate provision for dealing with environmental health problems associated with residential property. This is an essential and practical book for environmental health and housing professionals, as well as for advisers and lawyers in the private and public housing sectors. o decide on the most appropriate provision for dealing with environmental health problems associated with residential property. This is an essential and practical book for environmental health and housing professionals, as well as for advisers and lawyers in the private and public housing sectors.

Your essential guide to statutory nuisance, a practice widely used by local authorities and individuals as a means of resolving a range of problems including neighbour noise, pollution, and poor housing quality. Providing a practical breakdown of the law, and a clear demonstration of how it can be applied in practice, this informative book steers practitioners through the drafting process, varying attachment notices, preparing evidence, role of judicial review and potential cost awards. The new second edition of Statutory Nuisance is fully up-to-date with the very latest environmental law legislation, and includes brand-new coverage on noise and smell, and criminal procedure.

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