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<b>Subject:</b>	<b>PURCHASE OF NOISE RECORDING EQUIPMENT</b>
<b>Meeting and Date:</b>	<b>Cabinet – 7 January 2013</b> <b>Council – 30 January 2013</b>
<b>Report of:</b>	<b>Roger Walton – Director of Environment &amp; Corporate Assets</b>
<b>Portfolio Holder:</b>	<b>Councillor Pat Heath – Portfolio Holder for Health, Well Being and Public Protection</b>
<b>Decision Type:</b>	<b>Non-Key</b>
<b>Classification:</b>	<b>Unrestricted</b>

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**Purpose of the report:** Request to include purchase of 2 noise recording systems from the Capital Programme.

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**Recommendation:**

**Cabinet** Cabinet recommends to Council that the replacement of the noise monitoring equipment be included within the Capital Programme and subject thereto, approves its purchase.

**Council** That Council approves the inclusion of the noise monitoring equipment within the Capital Programme.

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**1. Summary**

The Environmental Enforcement & Protection Department use noise recording equipment to investigate complaints of nuisance from commercial and domestic premises. There is a high demand for the units. One unit has malfunctioned beyond repair. The remaining unit is in constant use with 17 people waiting for the unit to be installed. It is necessary to replace the units in order to maintain service levels.

**2. Introduction and Background.**

2.1 Two Symphonie noise-recording systems were purchased in 2002. Given the advances in technology they are effectively antiques. They cost around £6-7k each when purchased. It was also necessary to get a laptop for each adding about another £800 to the total price.

2.2 One of the laptops malfunctioned earlier this year. We rang the company who provided the units and were advised they no longer source laptops with the card slot required to download data. Our own IT Department confirmed they were unable to get these laptops, as they are old technology. We are therefore reliant on one recording system at the moment. However, given the age of the equipment, it is unlikely to last much longer.

2.3 When both units were operational they were in constant use. The remaining unit is currently out. There are 17 people waiting for it to be installed.

2.4 We have investigated new noise recording systems called Norsonics. We have had good reports on these from acoustic consultancies, other Councils and registered

social landlords. Over 500 systems have been sold to local authorities and Housing Associations since 2004. The cost of 2 new systems is £12,196. That includes a discount of £10,100 for trading in the Symphonies along with an 'end of season' offer. Any new equipment would be delivered within 2 weeks of giving a purchase order.

- 2.5 The units are covered by a three-year warranty and have an estimated life of around 10 years. If purchased the annual cost is therefore £1220. There is no additional cost as existing budgets can be utilised for maintenance of the equipment

### 3. Identification of Options

- 3.1 Option 1 – Maintain current service levels via the replacement of the current noise monitoring systems with 2 new ones

- 3.2 Option 2 - Continue with the current equipment.

### 4. Evaluation of Options

#### Option 1

- 4.1 Under section 79(1)(g) of the Environmental Protection Act 1990 noise emitted from premises can be considered prejudicial to health or a statutory nuisance. If a local authority is satisfied a nuisance exists, is likely to occur or recur then they have a duty to serve an abatement notice. In reference to local authorities section 79 states

*it shall be the duty of every local authority.....where a complaint of a statutory nuisance is made to it by a person living within its area, to take such steps as are reasonably practicable to investigate the complaint.*

Use of recording systems helps meet this duty.

- 4.2 Noise recording equipment is a major component in nuisance investigation within the District. This helps compensate for the cuts made to the OOH noise service in April 2011, when availability was reduced from 7 to 2 nights a week representing annual savings of £10000. This was done in the knowledge that continued use of noise recorders would

- help counteract the reduction in such an important service,
- supplement the out of hours (OOH) noise service
- enhance the gathering of evidence for use in enforcement action.

The recordings made can also be used

- as evidence in court,
- to confront noisemakers
- to counteract malicious complaints.

- 4.3 Customers can make recordings when there is no service available or officers can not attend in time to witness the problem. This in turn enables resources to be targeted more effectively as patterns can be identified when problems are likely to occur.

4.4 In the event of complaints/appeals data/recordings can be used to justify action taken

Option 2

4.5 If the current machine malfunctions there is no back up. Given the age of the equipment, and the failure of another identical unit, any malfunction may be irreparable. The loss of the units would create a situation whereby there is a risk of failing to meet the statutory duty, under the Environmental Protection Act 1990, of taking reasonable steps to investigate noise complaints

4.6 The loss of the machinery would lead to a reduced service where it will be more difficult to gather evidence leading to increased noise problems within the District

**5. Resource Implications**

<i>Capital/Major Revenue Project Expenditure</i>	<i>2012/13 £000</i>	<i>2013/14 £000</i>	<i>2014/15 £000</i>	<i>Total £000</i>
Expenditure	12.2			
Net Capital Requirement	12.2			
Proposed to be financed from Capital Receipts	12.2			

<i>Revenue Implications</i>	<i>2012/13 £000</i>	<i>2013/14 £000</i>	<i>2014/15 £000</i>	<i>On-Going £000</i>
Expenditure decrease	0	0	0	0
Decrease in budget requirement	0	0	0	0

**6. Corporate Implications**

6.1 Comment from Finance: Sufficient funding is currently available in uncommitted capital receipts. (PH).

6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

6.3 Comment from the Equalities Officer: This report does not specifically highlight any equalities implications however, in discharging their responsibilities members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>

**7. Appendices**

7.1 Appendix 1 – Project Appraisal Checklist

7.2 Appendix 2 – Norsonic quote

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