

**Health and Social Services Department
Health Protection, Public Health
Department**

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GUIDANCE ON COMPLETION OF A NUISANCE DIARY

If legal action is to be taken to stop noise, smoke, odour or fumes amounting to a nuisance it is possible that the matter will have to be heard in Court. The Court will want to know which residents have been affected by nuisance and will ask for details of specific incidents.

It is therefore essential that an accurate, detailed record is kept of the nuisance. If there are any inaccuracies in the record, the Court will challenge the validity of the whole diary.

Overleaf is an example of a completed form and below are notes on each column of the diary.

DATE OF OCCURRENCE

Put here the date of when the nuisance happened.

TIME NUISANCE STARTED / FINISHED

Please remember to mark the time as either a.m. or p.m. or use the 24 hour clock.

SOURCE OF NUISANCE (ADDRESS)

It is very important to establish which premises the nuisance is coming from. This can be difficult when the nuisance is in a flat, as sound can travel through several floors. The source must, therefore, be established whilst the nuisance is happening.

DESCRIPTION OF NUISANCE

The Court will want to know what the nuisance was e.g. loud music, drums, shouting, machinery, bonfire, rubbish burning etc.

DISTURBANCE CAUSED & LEVEL OF NUISANCE

It is essential that you give an indication of the level of the nuisance and the disturbance it caused you.

E.G. for music this could include *"words of song audible, loud thumping bass, so loud I could not hold a conversation without raising my voice, could not hear my TV, disturbed my sleep."*

Anything that in your own words, would give an indication as to the level. (Please do not exaggerate the level as this will not help your cause).

PERSON RESPONSIBLE FOR THE NUISANCE

If you know the name of the person causing the nuisance, please enter their name.

NAME OF OTHER WITNESSES

Anyone else witnessing the nuisance and willing to give support to your case please record their name and address. It is important that they make a separate record at the time of the nuisance of what they heard too, as it is difficult to remember dates and times some months after the event.

DIARY OF NUISANCE DISTURBANCES

This is the diary of: <i>A. N. Other</i>			Address <i>Housebound, La Rue des Cotil, Les landes, St Martin JE9 90H</i>					
Age: <i>over 21</i> (If over 21 enter "Over 21")			Email address: <i>another@email.co.je</i>			Occupation: <i>Retired</i>		
Tel No: <i>01234 56789</i>			Mobile No: <i>03726 4444444</i>					
Date of Occurrence	Time Nuisance started	Time Nuisance finished	Location of listener	Source of Nuisance	Description of Nuisance	Disturbance caused (level of Nuisance)	Person responsible for Nuisance	Name/s of other witnesses
<i>7/5/04</i>	<i>06.30am</i>	<i>07.10am</i>	<i>Bedroom</i>	<i>Neighbour</i>	<i>Playing Music</i>	<i>Unable to sleep</i>	<i>Neighbour</i>	<i>Mrs Other</i>
<i>8/5/04</i>	<i>02.30am</i>	<i>04.10am</i>	<i>Bedroom</i>	<i>Neighbour</i>	<i>Playing Music</i>	<i>Unable to sleep</i>	<i>Neighbour</i>	<i>Mrs Other</i>
<i>9/5/04</i>	<i>12.30am</i>	<i>05.00am</i>	<i>Bedroom</i>	<i>Neighbour</i>	<i>Playing Music</i>	<i>Unable to sleep</i>	<i>Neighbour</i>	<i>Mrs Other</i>
<i>10/5/04</i>	<i>10.30pm</i>	<i>01.20am</i>	<i>Bedroom</i>	<i>Neighbour</i>	<i>Playing Music</i>	<i>Unable to sleep</i>	<i>Neighbour</i>	<i>Mrs Other</i>

Signed

Dated.....