

WESTMINSTER CITY COUNCIL

STATEMENT OF DECISION

**SUBJECT: PETITION RESPONSE: NOISE NUISANCE EFFECTING
RESIDENTS**

Notice is hereby given that Cabinet Member for Communities and Regeneration ,
Cabinet Member for Communities and Regeneration, has made the following executive
decision on the above mentioned subject for the reasons set out below.

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Summary of Decision

1. Recommendations

- 1.1 That you note the action taken by the City Council to resolve the breaches of planning control identified to date.
- 1.2 That you note the Director of Law's decision that condition 9 was not imposed to control activities nor noise generated in the service yard and as such cannot be relied upon as a mechanism by which the planning enforcement team may seek to control noise and disturbance from activities occurring in the Service Yard.
- 1.3 That you note the City Council's attempts to resolve and mitigate noise from the service yard by seeking compliance with the terms of the approved Service Management Plan, the subject of condition 12.
- 1.4 That you agree that the investigation into the breach of condition 25 was reasonable and proportionate and note that this condition is now being complied with and the breach of planning control resolved.
- 1.5 That you note and support the action taken by the Noise Service to investigate complaints of noise nuisance and that you agree no evidence has been witnessed to date to substantiate a Statutory Nuisance being caused.

2. Reasons for Decision

- 2.1 The City Council has dealt with the alleged breaches of planning control in a reasonable, proportionate, and transparent manner having regard to development plan policies and all other material considerations. Regard has also been had to the published ministerial statements and the fact that the breaches were occurring at an unprecedented time, during the Covid 19 Pandemic.
- 2.2 The Noise Service have responded to complaints from local residents. Where complaints have been made anonymously monitoring has been conducted from external areas and where a named complainant has been identified monitoring

has been carried out from within affected properties. To date no evidence has been witnessed to substantiate a Statutory Nuisance.

Reasons for Decision

**Stuart Love, Chief Executive,
Westminster City Hall,
64 Victoria Street
LONDON SW1E 6QP**

Publication Date: 14 March 2022

Implementation Date:

Reference: