

Matters which are not actionable by the Council as statutory nuisances under the Environmental Protection Act 1990 or considered to be actionable under the Anti-Social Behaviour Crime and Policing Act 2014.

These are some of the more common matters reported to the Council which cannot be investigated. And is not intended to be an exhaustive list

Matters which are not actionable as a statutory nuisance	Advice
<p>Household noise e.g.</p> <ul style="list-style-type: none"> • children playing, • conversation, • doors closing, • normal footfalls, • footfalls on laminate flooring, • car doors being closed, • toilet flushing, • poor sound insulation, • babies crying • dropping objects • switches being turned on / off 	<p>The courts have determined that the sounds of everyday living cannot be actioned as a statutory noise nuisance and will not be investigated by the Council.</p>
<p>Road traffic noise e.g.</p> <ul style="list-style-type: none"> • Clanging manhole covers • Vehicle on the highway 	<p>Specifically excluded from the Environmental Protection Act 1990 and will not be investigated by the Council.</p>
<p>Aircraft in flight (excluding model aircraft)</p>	<p>Specifically excluded from the Environmental Protection Act 1990 and will not be investigated by the Council.</p> <p>If you wish to complain about an aircraft in flight contact the CAA. http://www.caa.co.uk/</p>
<p>Military aircraft from RAF Shawbury and Ternhill</p>	<p>Specifically excluded from the Environmental Protection Act 1990 and will not be investigated by the Council.</p> <p>Contact RAF Shawbury http://www.raf.mod.uk/rafshawbury/contactus.cfm</p>
<p>Light from the following sources</p> <ul style="list-style-type: none"> • Airports Public service vehicle operating centers • Harbours Goods vehicle operating centres • Railway premises • Lighthouses • Tramway premises 	<p>These sources are specifically excluded by the Environmental Protection Act 1990 as a statutory nuisance. There may however be planning controls applicable to their use.</p> <p>Please contact Newcastle under Lyme Borough Council Planning on 01782 717717. Customer.services@newcastle-staffs.gov.uk</p>

<ul style="list-style-type: none"> • Prisons • Bus stations and associated facilities • Premises occupied for Defence purposes 	
<p>Insects related to the following sources</p> <ul style="list-style-type: none"> • Domestic properties • Premises which operate under an “Environmental Permit” • (which are covered under other legislation) • Land used as arable, grazing, meadow or pasture land (but not the buildings on such land) • Land used for market gardens, nurseries or orchards • Land forming part of an agricultural unit Land covered by (and the waters of) rivers, watercourses, • lakes and ponds 	<p>These sources are specifically not covered by the Environmental Protection Act 1990 as a statutory nuisance and will not be investigated by the Council.</p>
<p>Odours from domestic premises</p>	<p>This source is specifically not covered by the Environmental Protection Act 1990 as a statutory nuisance and will not be investigated by the Council.</p>
<p>Smoke from chimneys in a smoke control area</p>	<p>This source is specifically not covered by the Environmental Protection Act 1990 as a statutory nuisance.</p> <p>However, we will investigate to identify if any relevant offences have occurred under the Clean Air Act 1993.</p>