



Statutory Nuisance



Last Modified May 14, 2019

[Share this page](#)

We can take action in certain cases if you are affected by a statutory nuisance.

What is a statutory nuisance?

A statutory nuisance can include emissions of smoke, fumes or gases, dust, steam and smell, as well as [noise](#).

The nuisance must be coming from a premises and must materially affect the use or enjoyment of other surrounding premises.

What types of complaints do we deal with?

Apart from [noise](#), typical pollution complaints are around smoke and ash from garden bonfires, smoking chimneys, dust from building and demolition activity and cooking smells from restaurants.

How can you report something?

Call us on 020 8207 7435 during office hours, or use our [out of hours service](#). Alternatively email environmental.health@hertsmere.gov.uk

What will we do?

We will take reasonable steps to investigate and, if appropriate, take formal action.

How does this work?

It does depend on the complaint, but generally we investigate to assess the situation and/or ask whoever has made the complaint to monitor the problem.

If we find a statutory nuisance is being, or is likely to be, caused we will serve an Abatement Notice under the Environmental Protection Act 1990. This requires the person responsible / the occupier or owner of the premises (as appropriate) to stop the nuisance.

Failure to comply with an Abatement Notice is an offence and may result in legal action.

What are the fines?

If you are found guilty of this type of offence you could be fined up to £5,000 if it relates to domestic premises and £20,000 for commercial premises.

We can also issue a Fixed Penalty Notice (FPN) if you are found to be responsible for noise in excess of the permitted level between 11pm and 7am.

Further information:

[Part 3 of the Environmental Protection Act 1990](#)

[The Noise Act 1996](#) (as amended by the [Anti-social Behaviour Act 2003](#))

[↑ Back to top](#)



[Contact us](#) [Accessibility](#) [Accessibility Statement](#) [Jobs](#) [Sitemap](#)

© 2022 Hertsmere Borough Council

[Privacy Policy & Cookies](#)

[Disclaimer & Copyright](#)

[Modern Slavery Statement](#)

Powered by [Contensis](#)