

## **PETITION ALLEGING NOISE NUISANCE FROM CLAY PIGEON SHOOT. (Min 343/00)**

### **1 BACKGROUND**

- 1.1 Members will be aware that a petition has been received from a group of local residents alleging noise nuisance from a clay pigeon shoot that operates from a field in Ironwell Lane, Rochford. At the meeting of Full Council on 24 October 2000 the matter was referred to this Committee.
- 1.2 The Rochford Gun Club, who operate this clay pigeon shoot, meet only once a month and their next programmed event is on 5 November 2000. Monitoring will take place on this and at least one further occasion prior to the preparation of a report that it is intended will be presented to this Committee on 25 January 2001.

### **2 CONTROLS**

- 2.1 At the present time no Code of Practice in respect of Clay Pigeon Shoots has yet been agreed. Before the Council can take formal action in respect of this complaint it would need to establish that a statutory noise nuisance exists. This may be defined as a noise which causes a significant interference with an individual's enjoyment of his property, taking into account the volume of the noise, the frequency of occurrence and the length of time for which the noise continues.
- 2.2 Should this activity be shown to be causing a statutory noise nuisance, the Head of Housing, Health & Community Care has sufficient delegated powers under the provisions of the Environmental Protection Act 1990 to serve a Notice to abate the nuisance without delay, pending consideration by Committee.
- 2.3 The Head of Planning Services comments that under the provisions of the Town & Country Planning (General Permitted Development) Order 1995 the use of land for any purpose is permitted for not more than 28 days in any calendar year, without the need to apply for planning permission. Also permitted under these rights is the provision on the land of any moveable structures ancillary to that use.
- 2.2 At the present time there is no suggestion that the Rochford Gun Club operates on this site in excess of the permitted 28 days per year and therefore no action by the Planning Enforcement Section is anticipated.

### **3 ENVIRONMENTAL IMPLICATIONS**

- 3.1 Noise can cause a nuisance and be detrimental to quality of life.

**4 PARISH IMPLICATIONS**

4.1 The Shoot location is in the Rochford Parish.

**5 RECOMMENDATION**

5.1 It is proposed that the Committee **RESOLVES**

That a full report be brought to the next Committee Meeting. (HHHCC)

Graham Woolhouse

**Head of Housing, Health & Community Care**

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**Background Papers:**

The petition documents.

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