

What will it cost me?

You must pay back any costs incurred by the Council. These costs may vary according to how long the seizure may take.

The costs may include officer time, lock smith, the Warrant, vehicle hire and storage.

The costs may be as much as a few hundred pounds and more than your items are worth.

What happens next?

If you continue to cause a noise nuisance and officers from the council witness the problem again, then further items may be taken from you.

Equipment can be taken away as many times as needed to stop the noise.

The Council may also prosecute you for the offence in the Magistrates Court.

If this is done the Magistrate has the power to forfeit your equipment, and you will not get your items back. You may also receive a fine and have to pay court costs.

How to contact us:

Pollution & Licensing
Public Protection Service
Trafford Council
Talbot Road
Stretford
Manchester
M32 0YJ

Telephone:

0161 912 4509 or
0161 912 4918

Fax:

0161 912 1113

Email:

environmental.protection@trafford.gov.uk

Further information:

Please contact us if you would like more information on this or any other environmental protection issue.

Alternatively, please visit our website, which is at www.trafford.gov.uk

TRAFFORD COUNCIL

Seizure of noise making equipment



If you have a copy of this leaflet then it is likely that you have been served with a noise abatement notice by the Council.

A noise abatement notice is a legal order telling you to control the amount of noise coming from your property.

This leaflet tells you what the council will do if you continue to create a noise nuisance.

Powers of Environmental Health Department

If you ignore the notice and continue to make excessive noise the Council may apply for a Warrant at the Magistrates Court.

Environmental Health then has the power to **enter your property and take away noise making equipment**. If the Warrant is granted, the seizure will take place as soon as possible.

You may also be prosecuted and fined.

Which law allows the council to do this?

Environmental protection Act 1990, section 81 (3) – gives the Council power to take steps to stop a noise nuisance occurring.

Noise Act 1996, Section 10(7) – gives the Council powers to take away noise making equipment.

How much notice do I get if items are to be taken from my property?

No notice is given prior to a seizure.

Examples of Items that may be taken away during a seizure

- Stereos
- Speakers
- Computer
- Games console
- Television/s
- DVD players/recorders
- Musical Instruments
- CD's
- DVD's
- Radios
- Compressors
- DIY equipment

What happens during a seizure?

Officers from the Councils Environmental Health section and the Police will arrive at your property. A lock smith may be on hand to break in if required.

Environmental Health may take any equipment they feel has been used to cause a noise nuisance.

If nobody is home **the seizure will still take place**. The locks may be changed and the property will be left as secure as it was before entry. Information will be left

explaining how and where you can get the keys to your property.

How long do we keep the seized items for?

Environmental Health will keep the items for 28 days. During this time you must contact Environmental Health if you want to claim them back.

Even if you pay the costs for the items straight away, you will not get them back until the 28 days has ended.

If the items are not claimed within the 28 days, they are kept for a further 6 months, before being disposed of. The equipment can be claimed during this time.

Can I get the items back?

You must apply for the return of the items taken. Information regarding the return of your items will be left at the time of the seizure.

You must be prepared to show evidence that the items are yours, and pay any costs incurred.

If we decide to prosecute you may not get your equipment back at all.