In order to assist officers with the investigation of your complaint, you are asked to keep a record of the alleged nuisance that is troubling you. Please keep a note below, and on a separate sheet if necessary, of the dates when the alleged nuisance occurs, the times it starts and finishes and the way in which it affects you.

Remember that any action subsequently taken by the Council could end in Court and it is therefore important that accurate records of the specific times when the alleged nuisance affects you are kept. Phrases such as “all the time”, “every day” etc. should be avoided. If action is taken in Court you may be required to produce and give evidence of the alleged nuisance.

# Your details

Name:
Address

Telephone Number
Email:

# Source of Alleged Nuisance

Name:
Address

Telephone Number
Email:

# How we will use your information

Your information will be used so that we can administer and respond to your complaint under our complaints procedure. Under Article 6(1) (e) of the General Data Protection Regulations, we are permitted to use data for our tasks; data protection law describes this legal basis for handling your information.

It will be used by Harborough District Council in order to process and respond to your complaint only. It may be necessary to share some details with other Council departments and partners in order to respond fully to your complaint fully. We will not disclose any personal information to any other third parties without your consent unless required or allowed to do so by law.

For further information on how your information is used and your rights to access information we hold about you, please contact: Harborough District Council, The Symington Building, Adam & Eve St, Market Harborough LE16 7AG or FOI@harborough.gov.uk or complaints@harborough.gov.uk

# How to complete Nuisance Record Sheets

## What are Nuisance Record Sheets Log Sheets?

These are forms that are required to be completed by a complainant with the details of incidents in relation to the complaint.

As officers cannot be at every property, the forms are a necessary and key part of any investigation and allow officers to determine the frequency, duration and extent of the problem that is complained of. The forms may be used as evidence in a Court of Law and need to state detailed facts that you can testify as true and accurate.

## How do I fill in the sections?

The form below gives some examples of how to complete a log sheet. The more incidents that are logged, the stronger your case will be and it will enable the officer investigating your complaint to have a better idea of how it is affecting you. It is also important that you give a description of how the problem impacts on you at the time and where you were situated, e.g. I could hear the noise above my TV when I was situated in the front living room (see examples).

## What happens when I return completed records?

An officer will be assigned to your case and will assess the records to determine if the council is able to take further action. If the council is able to take further action then the next steps are likely to involve writing to the person responsible for the nuisance to make them aware and request that they take steps to resolve the issue.

If this is unsuccessful then the officer will consider undertaking monitoring to establish whether or not the council is able to take formal action. If the council is not able to take the matter further then you will be advised of this and may wish to consider other options such as taking your own private action.

\***Please note:** If Nuisance Record Sheets are not returned within 6 weeks, your complaint will be closed. You can always re-open a case if you feel that the issue recurs.\*

## I have complained before, do I need to fill it out again?

Even if you have complained before and completed log sheets it is still important that we get accurate up to date information regarding on-going problems.

## What if I refuse?

All information collated as part of an investigation forms part of the assessment of nuisance and how it impacts on you. If a log sheet is not completed then this will weaken any case in proving nuisance.

## How long do I complete them for?

You should start to complete them from when you receive them and until you have recorded a number of incidents and then send them on to the investigating officer. Records need to be representative of the nuisance. A timeframe of 2-3 weeks is usually advisable though shorter timeframes may be acceptable if the nuisance is continuous and persistent. You should also continue to complete them during the whole investigation.

## What if I need further help?

If you need any assistance with the forms or the on-going investigation then please do not hesitate to contact the investigating officer who will be more than willing to help you.

# Example Diary Record Sheet

| Date | Time *(24hr clock)* | Weather conditions | Type of odour nuisance  | How it affected youi.e. was odour noticed briefly, did you go inside as smell too strong outside etc | Odour rating1 – Slight odourto10 – Strong odour |
| --- | --- | --- | --- | --- | --- |
| Start | Finish |
| 11/04/2019 | 9:30 | 10:00 | Warm, sunny | I could smell the poultry manure which had been spread. The smell was very sickly and unpleasant. I could smell it both outside and inside very strongly.  | I could smell it both outside and inside very strongly. The wind was blowing from ????? I then went out. | 6 |
| 12/04/2019 | 9:30 | 11:30 | Warm, sunny, windy | I could smell the horrible smoke from the building next door.  | I could not keep my windows open and I had to go from sitting outside in the garden to sitting indoors. | 8 |

Diary Record Sheet for Completion Sheet \_\_\_ of \_\_\_

| Date | Time *(24hr clock)* | Weather conditions | Type of odour nuisance  | How it affected youi.e. was odour noticed briefly, did you go inside as smell too strong outside etc | Odour rating1 – Slight odourto10 – Strong odour |
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The observations I have made are true to the best of my knowledge and belief and I understand that they may be used in legal proceedings and therefore subject to cross-examination. I also understand that these records may be used by other officers from the Council investigating associated nuisances.
 Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Diary Record Sheet for Completion Sheet \_\_\_ of \_\_\_

| Date | Time *(24hr clock)* | Weather conditions | Type of odour nuisance  | How it affected youi.e. was odour noticed briefly, did you go inside as smell too strong outside etc | Odour rating1 – Slight odourto10 – Strong odour |
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Diary Record Sheet for Completion Sheet \_\_\_ of \_\_\_

| Date | Time *(24hr clock)* | Weather conditions | Type of odour nuisance  | How it affected youi.e. was odour noticed briefly, did you go inside as smell too strong outside etc | Odour rating1 – Slight odourto10 – Strong odour |
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Diary Record Sheet for Completion Sheet \_\_\_ of \_\_\_

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