

**CATEGORY | Best Innovative Environmental
Health Solution**

WINNER | Wiltshire Council



“An Innovative Solution to a Mental Capacity Noise Problem”

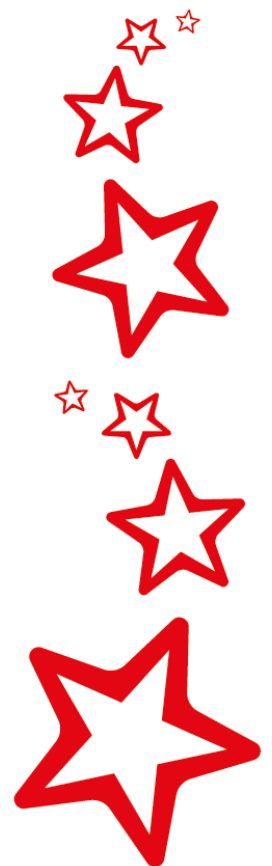
INTRODUCTION

In Wiltshire, there have been increasing numbers of noise and anti-social behaviour complaints relating to residents with a lack of mental capacity. One specific long-running case that Wiltshire Council’s environmental protection team had been investigating related to a resident with severe learning difficulties. The regular daytime and late night loud music/shouting had a significant impact on the health of the neighbours and their quality of life. The case involved a vulnerable adult with challenging behavioural issues and elderly neighbours. Their behaviour had also implicated the police, local housing society and adult social care. An abatement notice was served on the vulnerable adult in September 2015.

The standard abatement notice approach for noise nuisance followed by the legal process of seizure and enforcement were not appropriate in this case, so a multi-agency project was developed with the following objectives to be completed by the end of December 2016: To develop a procedure to improve working with the adult social care team; to deliver an improved service to vulnerable clients; to share relevant information between agencies; to resolve the long running noise nuisance case.

In early 2016, a procedure was developed by both the environmental protection and adult social care teams which detailed the steps that should be taken in statutory nuisance investigations where a lack of mental capacity is suspected. This included referral mechanisms, contact numbers, assessment criteria and review timetables. The case involved a range of complexities including dealing with an autistic client, balancing the needs of the client and the complainant, tension between two legal regimes (Care Act and Environmental Protection Act) and understanding the ‘Best Interests’ process in relation to enforcement issues.

A multi-agency panel was formed that included EH officers, adult social care, the Housing Association, a care provider, a behavioural psychologist and the Police. The panel met on a regular basis to ensure the project remained on track. Several areas were worked on to address the long-term complaint including the development of a procedure and referral process in cases of lack of mental capacity; regular multi-agency case conferences to develop better appreciation of service constraints and an acoustic consultant report concerning building insulation.



The client's behaviour could not be modified due to learning difficulties, so a range of other options were investigated. The chosen solution proposed by the group was to construct a new independent party wall in the client's home to improve noise insulation between the properties together with the installation of a commercial noise limiter. The works were planned to be carried out when the client was on holiday so as not to cause him anxiety, and the care providers supported him greatly throughout this period accompanying him on one week's holiday and arranging the second week's stay with a relative. The cost of the work came out of the council's adult care budget, as it would result in net savings from reducing respite costs and associated care package hours. The council installing sound insulation and a noise limiter are innovative solutions that have provided a resolution to a long running complaint, and have delivered savings in the care package to support the vulnerable adult to live independently at home.

A noise consultant was engaged to carry out a noise insulation assessment of the party wall between the two properties. This was carried out when the vulnerable adult was away from the property so as not to trigger additional challenging behaviour. The acoustic report confirmed that the construction of an independent wall would provide sufficient sound insulation to mitigate the noise from shouting and music, and a business case was approved by the council's adult care funding board in October 2016.

Following the completion of the works the level of noise from amplified music transmitted to the complaint's property was measured subjectively varying the settings on the limiter to achieve a reasonable level which would not constitute a nuisance or cause further complaint. The outcome was a resolution of the complaint with a reduction in the level of both music and shouting impacting the complainant, with both parties being able to remain in their homes and maintain good relationships.