

ENVIRONMENTAL PROTECTION ACT 1990, section 80

ABATEMENT NOTICE IN RESPECT OF NOISE NUISANCE

To Mr Christopher Acres

of Kings Oak Public House, Nursery Road, High Beech, Loughton, Essex

TAKE NOTICE that under the provision of the Environmental Protection Act 1990 the Epping Forest District Council ("the Council"), being satisfied of the ~~existence~~ [likely [occurrence] ~~recurrence~~] of noise amounting to a statutory nuisance under Section 79(1)(g) of that Act at

Kings Oak Public House, Nursery Road, High Beech, Loughton, Essex

within the district of the said Council arising from **the production of loud music and other amplified sound.**

HEREBY REQUIRE YOU as [one of] the [person responsible for the said nuisance] [the ~~owner~~] [occupier] of the premises] from which the noise is or would be emitted] ~~[the person in registered]~~ ~~[the driver of the vehicle]~~ ~~[the operator of machinery or equipment]~~ within **forthwith** from the service of this notice, [to abate the same] [and also] **[HEREBY [PROHIBIT] [RESTRICT]** the [occurrence] ~~recurrence~~] of the same] [and for that purpose require you to: **maintain the volume of music and amplified sound at a level that will not cause a statutory nuisance to the occupiers of noise sensitive premises**

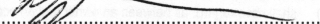
[THIS is a notice to which paragraph (2) of regulation 3 of the Statutory Nuisance (Appeals) Regulations 1995 applies, and in consequence, in the event of an appeal this notice shall NOT be suspended until the appeal has been abandoned or decided by the Court, as, in the opinion of the Council, ~~the noise nuisance to which this notice relates is [injurious to health] likely to be of a limited duration such that suspension would render [the notice of no practical effect]~~ [the expenditure which would be incurred by any person in carrying out works in compliance with this notice before any appeal has been decided would not be disproportionate to the public benefit to be expected in that period from such compliance]

IF without reasonable excuse you contravene or fail to comply with any requirement of this notice you will be guilty of an offence under section 80(4) of the Environmental Protection Act 1990 and on summary conviction will be liable to a fine not exceeding level 5 on the Standard Scale**, together with a further fine of an amount equal to one-tenth of that level for each day on which the offence continues after conviction. A person who commits an offence on industrial, trade or business premises will be liable on summary conviction to a fine not exceeding £20,000.

The Council may also take proceedings in the High Court for securing the abatement, prohibition or restriction of the nuisance. Further, if you fail to execute all or any of the works in accordance with this notice, the Council may execute the works and recover from you the necessary expenditure incurred.

~~[The period specified above for compliance with this notice shall be extended by in accordance with Section 80A(4) of the Environmental Protection Act 1990].~~

DATED 05 May 2005

(Signed).....

[Time copy served _____]

Mr M Richardson
Environmental Health Technical Officer
(The officer appointed for this purpose)

Address for all communications
Head of Environmental Services
Epping Forest District Council
Civic Offices High Street
Epping Essex CM16 4BZ

N.B. The person served with this notice may appeal against the notice to a magistrates' court within 21 days beginning with the date of service of the notice. See notes on the reverse of this form.

**Currently £5,000.00, subject to alteration by Order.