

Example Letter
Notice of Intention to Bring Proceedings
Environmental Protection Act 1990: Section 82 (6)

TO: *1 Date:

OF: *2
.....

I am writing to you as the [person responsible][owner of] the premises known as:

*3 Address

.....
.....
.....

The nuisance from the above premises is such that a Statutory Nuisance as defined by Section 79(1) of the Environmental Protection Act 1990 is being caused. Brief details of some, but not necessarily all, of the matters, which are contributing to the nuisance are as follows:

*4
.....
.....

Urgent action is necessary to abate the Statutory Nuisance and prevent it recurring. I would ask that within the next seven days (ie by the *5 day of 20.....), you either:

- a) Ensure the necessary action is taken to abate the Statutory Nuisance and prevent it recurring, or
- b) Provide me with a detailed timetable setting out the remedial action you intend to take to abate the Statutory Nuisance and prevent it from recurring.

This letter should be taken as Notice of my intention to initiate proceedings in the Magistrates' Court under Section 82 of the Environmental Protection Act 1990 if the Statutory Nuisance still exists and you have failed to provide a satisfactory timetable of remedial action by the said *5 day of 20.....

Yours faithfully

..... (signed)

[Add name and address in BLOCK CAPITALS here]

*6
.....
.....
.....

* see notes below for completion of this form

*** Notes for completion of Notice of Intention to bring Proceedings (under Section 82 (6) of the Environmental Protection Act 1990)**

1. Insert name of person causing the nuisance. It is suggested that you send copies of the Notice of Intention to the owner(s) and occupier(s) of the premises from which the nuisance is coming. It is essential that the notice is sent to the named person.
2. Insert the full address of the person named in 1.
3. Insert the full address of the premises from which the nuisance comes.
4. Insert the details of why it is considered to be a nuisance. For example:
 - Excessive noise of amplified music at unreasonable hours.
 - Incessant and persistent dog barking at all hours. Please note that allegations of noise amounting to a nuisance must be supported by detailed records of the time the nuisance starts and stops, the dates on which it occurs, and a detailed description of the way the alleged nuisance is affecting you, eg preventing or interrupting sleep; or interfering with the reasonable enjoyment of your home.
5. Insert a date at least seven days after the date at the top of the form.
6. Insert your full name and address.