



Noise and Statutory Nuisance Act 1993

1993 CHAPTER 40

Noise in street to be a statutory nuisance

2 Noise in street to be a statutory nuisance. E+W

- (1) Section 79 of the 1990 Act (statutory nuisances) shall be amended as follows.
- (2) In subsection (1) (list of statutory nuisances)—
 - (a) for “Subject to subsections (2) to (6) below” there shall be substituted “Subject to subsections (2) to (6A) below”;
 - (b) after paragraph (g) there shall be inserted—
 - “(ga) noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street;”, and
 - (c) after “section 80 below” there shall be inserted “or sections 80 and 80A below”.
- (3) After subsection (6) there shall be inserted—

“(6A) Subsection (1)(ga) above does not apply to noise made—

 - (a) by traffic,
 - (b) by any naval, military or air force of the Crown or by a visiting force (as defined in subsection (2) above), or
 - (c) by a political demonstration or a demonstration supporting or opposing a cause or campaign.”
- (4) In subsection (7) (interpretation)—
 - (a) after the definition of “dust” there shall be inserted—

““equipment” includes a musical instrument;”,
 - (b) for the definition of “person responsible” there shall be substituted—

““person responsible”—

 - (a) in relation to a statutory nuisance, means the person to whose act, default or sufferance the nuisance is attributable;

Changes to legislation: There are currently no known outstanding effects for the Noise and Statutory Nuisance Act 1993, Section 2. (See end of Document for details)

- (b) in relation to a vehicle, includes the person in whose name the vehicle is for the time being registered under the ^{M1}Vehicles (Excise) Act 1971 and any other person who is for the time being the driver of the vehicle;
 - (c) in relation to machinery or equipment, includes any person who is for the time being the operator of the machinery or equipment;”, and
- (c) after the definition of “smoke” there shall be inserted—
- ““street” means a highway and any other road, footway, square or court that is for the time being open to the public;”.
- (5) In subsection (8) (port health authority to have functions of a local authority under Part III of the 1990 Act, except those relating to a statutory nuisance within section 79(1) (g)) after “paragraph (g)” there shall be inserted “ or (ga) ”.

Marginal Citations

M1 1971 c. 10.

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