

Paper Petition Details

Noise Pollution – Network Rail

We the undersigned petition the Council to monitor the environment and investigate complaints, make a judgement of whether or not the pollution constitute a 'statutory nuisance', serve abatement orders if the pollution is judged to be a statutory nuisance and close the railway access via Cherry Avenue.

The right to health, peaceful enjoyment of one's home and to the fundamental human needs of sleep and good health are currently being actively denied to many residents.

The size of traffic using the road and the constant noise levels from Network Rail have increased so much that the residents are extremely stressed and anxious due to loss of peace and sleep. Cherry Avenue is a cul-de-sac and we want Network Rail to close the railway access via our street, repair the damaged grounds and erect sound proof fencing along the lines to mitigate the noise.

The Office of Rail Regulation requires Network Rail to have a sustainability policy but emphasises that they do not do environmental monitoring and that the local authority are the body charged with dealing with environmental health problems.

This petition was received on 2nd April, 2014.

This petition was passed to the Team Leader (Neighbourhood Enforcement) on 3rd April, 2014.

This petition was responded to by the Team Leader (Neighbourhood Enforcement) on 30th April, 2014.

Final Results

Number of Signatures	74
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Council Response

Holding Response:

The Council has undertaken written consultation with Network Rail setting out their concern in respect of disturbance caused to residents of Cherry Avenue due to the rail operator accessing the line from the garages on this street and thereafter undertaking works to the track in that vicinity at antisocial times. Specifically the Council outlined that action was being considered using the provisions of Section 61 of The Control Of Pollution Act 1974 to prevent works taking place at antisocial hours unless prior approval is given by the Council. In addition the rail operator has been asked to clarify the legal right they were using in order to access the track at this point.

The reply received from Network Rail is currently being considered by the Council's legal department.