

Peace without quiet?

Difficult environmental noise problems, sometimes the marginal ones, lead to long term problems between the parties involved, especially when legislation is not strong enough to deal with the problem. This may result in arguments, illness and even violence.

The noise maker alleges “harassment” by the complainant, whilst the complainant may believe that the noise is produced “maliciously”. Of course, it normally takes a while to build up to a really bad communication failure between the parties and early intervention is required, since it is much harder to recover from a high level of distress than from a lower level.

In 2004 – 2005 in the UK there were 40,000 cases of community mediation of which 38% were for noise. Mediation may have a solution. In mediation the two sides talk over their difficulties, with professional mediators on hand to give help. The mediator does not make decisions for the parties or impose a solution on them, but is a facilitator leading towards a conclusion of the dispute, satisfactory to both sides and based on the wishes of the parties themselves, which will have developed and modified during the mediation process. Of course, unless one side surrenders completely, the final conditions accepted by both sides are not the same as their initial requests. A success rate of over 70% is claimed, especially when used at an early stage. Whilst agreements are often written out and signed, they have no legal standing.

Mediation sounds a great idea, and of course it can be. It certainly costs less than having an extra 40,000 court cases a year. But noise complainants may feel compelled to make concessions for the sake of a different kind of peace – peace without quiet. We have to be watchful of this, because in the balance of right and wrong, it is clearly wrong for a victim of noise to accept a noise which has no place in our environment.

DUNDEE

A Dundee team, created to reduce the volume of late night noisemakers, has investigated 957 complaints in its first three months. The noise nuisance team, which is made up of enforcement officers from Dundee City Council's health and trading standards department, began work on June 5. In just three months since then, they have received 957 complaints about antisocial levels of noise. These range from reports of loud music being played late at night, DIY being carried out at inappropriate times and even dogs barking throughout the night. Of these complaints, 402 people were given verbal warnings and 67 people have been given written notices. A further 12 people have been given fixed penalty fines of £100.

CONSTRUCTION NOISE

If you can't stand the noise, talk louder. That's essentially how teachers and students at Ala Wai school have been dealing with the construction noise at the Ala Wai canal. Today, the school got some help, with a state of the art sound system inside the classrooms. The construction of the wastewater emergency bypass at the canal is just outside the classrooms of Ala Wai school. And without air conditioning, windows are kept open. Students say it was at its worst the first couple of days of school when pile driving took place. "It was like pounding, really pounding very hard and because we're right close to it and it would distract us from our teachers," says fifth-grader Robianne Tucker. "It was too loud for the teacher so he had to yell and sometimes it sounded like he was yelling at us," says fourth-grader, Tiare Akeo. The pile driving has stopped but the construction noise continues. And so does the yelling, which has also taken its toll on the teachers. "And so I'd go home everyday and I'd be exhausted and whispering to my husband and my children and they're like what's wrong?," says Florence Kawamura, teacher. "Answer the questions and we'll discuss it as a group okay?" The solution, a wireless microphone and a speaker at each classroom affected by the noise. Local businesses, which includes the construction companies, donated more than \$18,000 dollars to buy 21 sound systems. Students made all kinds of noise at assembly today to celebrate the new addition to the classrooms and to thank the donors. Honolulu Mayor Mufi Hannemann calls it a great example of the private sector helping out with a public problem. "The city doesn't have unlimited amount of money so we're gonna have to go out into the community and ask people to come forward," says Mayor Mufi Hannemann. The construction is scheduled to continue through the end of December. Students and teachers are relieved that they won't have to yell at each other for that long.

MURDEROUS BUILDER

When New York actress Adrienne Shelley was found hanging in her bathroom the police thought it was a case of suicide. But it turned out to be a killing, allegedly by a 19-year-old Ecuadorean construction worker who confessed to the police. His apparent motive his fear of being deported, after Ms Shelley, 40, complained about the noise from the renovation of the flat below hers in Greenwich Village, New York. Diego Pillco, an illegal immigrant originally from Ecuador, was charged with second-degree murder and held without bail.