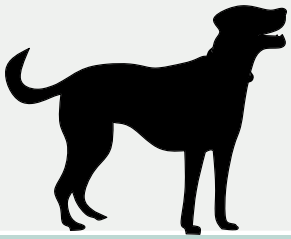
Isle of Man Government
Reiltys Ellan Vannin

ENVIRONMENTAL HEALTH UNIT
DOG BARKING GUIDANCE

Firstly approach the keeper of the dog/s and explain politely that you are being troubled by the noise. Although you may find this difficult it is surprising how often neighbours are unaware of the unhappiness being caused. Most will be glad to do what they can to reduce the noise and may even thank you for letting them know.

If the noise nuisance continues you should write to them explaining the effect the noise is having on you. Refer to any conversations you may have had and what, if anything, they agreed to do about it. Keep a diary of the dates and times of any noise nuisance including a description of the noise and how it affected you. Also keep a record of any conversations you may have had, and copies of any letters you may have written.

The Dogs Act 1990 states that anyone may make a complaint to a Court of summary jurisdiction that a dog causes a nuisance or annoyance to the inhabitants of the neighbourhood in which it is kept. The court may make an order directing that the dog be either kept under proper control or removed from the neighbourhood within a specified time. If the keeper of a dog fails without reasonable excuse to comply with the order, they shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000, and the court may in addition make an order disqualifying them from having custody of a dog for such period as is specified in the order.



ANIMAL WELFARE

Anyone concerned about the welfare of an animal can report it to the Animal Health Team at DEFA by:
Telephone: (01624) 685844
Email: animalwelfare@gov.im

Please note that the Animal Health Team works from 9am to 5pm, Monday to Friday but has an active voicemail service for out of hours.

Anyone concerned about animal cruelty should contact the police or if they are concerned about their own pet should contact their veterinary surgeon.

The Isle of Man Government has issued a Code of Practice for the welfare of dogs.

ENVIRONMENTAL HEALTH UNIT
DOG BARKING NUISANCE GUIDANCE

TAKING YOUR OWN ACTION

Start by talking the issue over with the owner, this can help resolve the issue informally. You can speak face-to-face, or you can write, call, or text if you prefer.

Write down details of any incidents of barking as they occur. Include as much detail as possible; what happened, for how long, and how it affected you. Diary sheets are included in this guide for you to use.

If the nuisance does not improve, write to your neighbour and request that they take steps to stop the nuisance, stating that if it does not stop by a fixed date (usually two weeks from the date of your letter), you will file a complaint with the Courts of Summary Jurisdiction under the provisions of 'Section 5 of the Public Health Act 1990'. By doing this you are giving the person you're complaining about to resolve the issue before proceeding formally. Please ensure that you date any correspondence, and keep a copy for future reference along with any correspondence that you receive in return.

The Dogs Act 1990 also provides powers where 'any person may make a complaint to a Court of Summary Jurisdiction that a dog... causes nuisance or annoyance to the inhabitants of the neighbourhood in which it is kept'.

If the nuisance does not stop, you can take legal action through the courts. You must prove to the court beyond reasonable doubt that the noise you are complaining about amounts to a statutory nuisance. Diary sheets, copies of correspondence and witnesses can be useful in supporting your complaint.

A complaint can be made, free of charge, by writing to '**His Worship the High Bailiff**' at the following address;

Summary Courts
Isle of Man Courts of Justice
Deemsters Walk
Douglas
IM1 3AR
or by emailing;
enquiries@courts.im

Complaints must include the following details:

- The name & address of the applicant (person making the complaint)
- The name and address of the respondent (person responsible for the nuisance)
- The details of the complaint

Once received the court will process the complaint and issue a summons to the respondent.

Whilst not essential, it is advised that anyone making a complaint to the Court first seeks legal advice.

This guidance has been produced by the Environmental Health Unit & Animal Health Team, Regulation Directorate, Department of Environment, Food and Agriculture.