

Consultation on the Code of Practice on Noise from Ice-Cream Van Chimes Etc. 1982

March 2012

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Any enquiries regarding this document/publication should be sent to us at:

Code of Practice on Noise from Ice-Cream Van Chimes Consultation

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Section 1: Summary

Summary

1.1 This consultation seeks views on the future of the Code of Practice on Noise from Ice-Cream Van Chimes Etc. 1982. The consultation applies to England only.

1.2 The consultation package contains the following documents:

- Consultation letter;
- This consultation document;
- List of consultees; and
- The associated Impact Assessment.

1.3 The consultation will be of particular interest to:

- Those associated with the ice-cream industry;
- Those associated with other mobile vending industries that use chimes;
- Environmental health departments of local authorities;
- Members of the public with an interest in ice-cream chimes;
- Other interested stakeholders with views on noise issues.

How to contribute

1.4 The consultation will open on Thursday 8th March 2012 and last 12 weeks until Thursday 31st May 2012.

1.5 Responses should be sent in writing or by e-mail to the following addresses:

Code of Practice on Noise from Ice-Cream Van Chimes Consultation
Noise and Nuisance Team
Area 5A Ergon House

Department for Environment, Food and Rural Affairs

Nobel House
17 Smith Square
London
SW1P 3JR

E-mail: noise@defra.gsi.gov.uk

The deadline for comments is 14:00 on Thursday 31st May 2012.

Confidentiality Statement

- 1.6 In line with Defra's policy of openness, at the end of the consultation period copies of the responses we receive may be made publicly available through the Defra Information Resource Centre, Lower Ground Floor, Nobel House, 17 Smith Square, London SW1P 3JR. The information they contain may also be published in a summary of responses.
- 1.7 If you do not consent to this, you must clearly request that your response be treated confidentially. Any confidentiality disclaimer generated by your IT system in e-mail responses will not be treated as such a request.
- 1.8 You should also be aware that there may be circumstances in which Defra will be required to communicate information to third parties on request, in order to comply with its obligations under the Freedom of Information Act 2000 and the Environmental Information Regulations.

Compliance with the Code of Practice on Consultation

- 1.9 The consultation complies with HM Government's Code of Practice on Consultation.

Section 2: Consultation on the Code of Practice on Noise from Ice-Cream Van Chimes Etc. 1982

Background of the Code

2.1 Under section 62(1) of the Control of Pollution Act 1974 (COPA) it is an offence to operate, or permit the operation of, a loudspeaker in the street:

“(a) between the hours of nine in the evening and eight in the following morning, for any purpose;

(b) At any other time, for the purpose of advertising any entertainment, trade or business”.

2.2 However, this offence does not apply to the operation of a loudspeaker between the hours of noon and seven in the evening on the same day if the loudspeaker (section 62(3) COPA):

“(a) is fixed to a vehicle which is being used for the conveyance of a perishable commodity for human consumption; and

(b) is operated solely for informing members of the public (otherwise than by means of words) that the commodity is on sale from the vehicle; and

(c) is so operated as not to give reasonable cause for annoyance to persons in the vicinity.”

2.3 The Code of Practice on Noise from Ice-Cream Van Chimes Etc. 1982 (the ‘Code’) was therefore developed, with the involvement of the industry, to give guidance on methods of minimising annoyance or disturbance caused by the operation of loudspeakers fixed to ice-cream vans and similar vehicles used to convey and sell perishable commodities for human consumption to the public.

2.4 The Code was approved by Order (S.I. 1981/1828) in accordance with section 71 of COPA, which empowers the Secretary of State to prepare and approve codes, or codes issued or proposed to be issued by someone other than the Secretary of State, if he considers them to be suitable for the purpose of giving guidance on appropriate methods for minimising noise.

2.5 The approved status of the Code does not create new offences, but as statutory guidance on the appropriate methods of minimising noise from this source, it is intended to provide

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assistance to local authorities and magistrates' courts in the enforcement of offences under section 62 of COPA and under section 80 of the Environmental Protection Act 1990 (EPA), which describes the summary proceedings for statutory nuisances.

- 2.6 More specifically, section 72 of COPA, and section 79(9) of the EPA both state that regard must be had to any relevant provision of a code of practice approved under section 71 of COPA in construing references to 'best practicable means'. In other words, if noise from mobile vendors is found by local authorities to amount to an offence under COPA, or a statutory nuisance under the EPA, whether the vendor can rely upon the defence of 'best practicable means' (that is, proving that they have been using the best practicable means to prevent, or to counteract the effects of the noise in causing annoyance or nuisance) may depend upon whether they have been working within the guidelines set out in the Code. The Code also forms an aid to the courts' interpretation of 'best practicable means' in minimising annoyance for this particular source. See Annex A for more details on 'best practicable means'.
- 2.7 The current Code sets out the legislation behind the Code and then provides operating guidelines in terms of general guidelines, volume, playing time, frequency and use of chimes in sensitive areas. (It should be noted that although 'chimes' and 'ice-cream vans' are used throughout the Code, the guidance applies equally to any other sound made by a loudspeaker fixed to a vehicle from which perishable commodities are sold to the public in the street.)
- 2.8 A full copy of the Code can be found [here](#). It includes a summary of the Code which is intended for display purposes. The summary of the Code is as follows:

"It is an offence to sound your chimes before 12.00 noon or after 7.00pm. It is also an offence to sound your chimes in such a way as to give reasonable cause for annoyance. A code of practice approved by the Government gives guidance on methods of minimising annoyance caused by your chimes. The main points of the code of practice are:

Do not sound chimes

- 1. For longer than 4 seconds at a time;*

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2. *More often than once every 3 minutes;*
3. *When the vehicle is stationary;*
4. *Except on approach to a selling point;*
5. *When in sight of another vehicle which is trading;*
6. *When within 50 metres of schools (during school hours), hospitals, and places of worship (on Sundays and other recognised day of worship);*
7. *More often than once every 2 hours in the same length of street;*
8. *Louder than 80 dB(A) at 7.5 metres;**
9. *As loudly in quiet areas or narrow streets as elsewhere.*

REMEMBER:

It is an offence to sound your chimes before 12:00 noon or after 7:00pm

It is an offence to sound your chimes at any time in a way which gives reasonable cause for annoyance.”

Purpose of the consultation

2.9 In April 2011 the Government launched the Red Tape Challenge, a campaign to review all potentially unnecessary regulation on business over this Parliamentary Term. In his speech to launch the initiative the Prime Minister gave the Code as an example of such potentially unnecessary regulation.

2.10 The Code was later included as a potential area for change during the ‘Spotlight on Hospitality’ section of the challenge that took place in 2011. The outcome was a commitment to consult on the future of the Code. This consultation fulfils this request.

Options for Consultation

2.11 The options for the consultation, as recommended by the Red Tape Challenge, are:

1. Keep the Code as it is (i.e. make no changes)
2. Keep the Code but make it less restrictive (i.e. make changes to the suggested rules for sounding chimes)

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3. Keep the Code but in the form of a non-statutory Industry Code of Practice (led and managed by relevant industry bodies, rather than the Government)
4. Remove the Code

2.12 These options were presented to various industry representatives during pre-consultation. Feedback from the Ice Cream Alliance, chimes manufacturers and other mobile vendor representatives was strongly in favour of Option 2, 'Keep the Code but make it less restrictive'. The current Code (Option 1) is thought to be unnecessarily restrictive and, anecdotally, not always fully complied with. A relaxation of the Code would therefore be expected to increase trade without generating a large increase in levels of annoyance amongst local residents. Furthermore, the industry favour a Government approved Code over a non-statutory industry-led Code (Option 3) or removal of the Code (Option 4) as both of these options would reduce the certainty that a mobile vendor would not be found to be causing annoyance. This is because there would be no approved Code against which local authorities or the courts could establish whether 'best practicable means' have been employed.

2.13 As a result of the strong industry support for Option 2, and initial discussions with noise stakeholders that suggest that they are not overly concerned by a relaxation of the Code, Option 2 is the preferred option of the consultation.

2.14 Each of the options is discussed in greater detail below. A summary of the questions included in the text can be found in Annex B.

2.15 **Option 1 – Keep the Code as it is (i.e. make no changes)**

- No changes would be made to the current Code or its approved status.
- The current Code would continue as summarised in paragraph 2.8.

Q1A. Are you supportive of this option? Why/Why not?

Q1B. Do you think that the Code causes any problems in its current state?

Q1C. Do you have any data on the current costs to mobile vendors, local authorities or local residents (e.g. in terms of complaints or levels of annoyance) as a result of the current Code? Please provide details.

Q1D. Do you have any data on the current benefits to mobile vendors, local authorities or local residents (e.g. in terms of sales generated) as a result of the current Code? Please provide details.

2.16 Option 2 – Keep the Code but make it less restrictive (i.e. make changes to the suggested rules for sounding chimes)

- This is the preferred option.
- The Code (and its approved status) would remain, but the suggested rules for sounding chimes would be less restrictive.
- This option would allow mobile vendors greater flexibility whilst continuing to provide guidance on methods of minimising annoyance or disturbance.
- This option would also continue to provide assistance to local authorities and magistrates' courts in determining whether 'best practicable means' have been employed.
- During pre-consultation with industry representatives a list of proposals to amend the suggested rules of the current Code was drawn up. These proposals are listed below (original Code in italics, proposed changes and corresponding questions in bold). They are, however, subject to change depending on the views expressed in the consultation responses.

Do not sound chimes

1. For longer than 4 seconds at a time;

A. The proposal is to change this to 'For longer than 12 seconds at a time'.

- This change would allow mobile vendors to advertise their arrival for longer, and therefore may increase trade.
- Anecdotal evidence from stakeholders suggests this aspect of the Code is not always currently complied with and that it is difficult to play a recognisable tune in 4 seconds. It is anticipated that a 12 second time limit would not be broken as a recognisable tune can be played within this time.

Q2A. Are you supportive of this proposed change? Why/Why not? Please suggest alternatives if appropriate.

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2. *More often than once every 3 minutes;*

B. The proposal is to change this to 'More often than once every 2 minutes'.

- This would allow mobile vendors to chime more frequently, and therefore may increase trade.

Q2B. Are you supportive of this proposed change? Why/Why not? Please suggest alternatives if appropriate.

3. *When the vehicle is stationary;*

C. The proposal is to change this to 'More than once when the vehicle is stationary'.

- This would allow vendors to chime once when stationary (although not if they have already chimed on approach, see rule 4).
- During pre-consultation the industry suggested that chiming when driving and looking for somewhere to stop could be more hazardous than chiming when stationary.
- There could be concerns for householders however if mobile vendors stop regularly outside the same residential properties and are allowed to chime when stationary.

Q2C. Are you supportive of this proposed change? Why/Why not? Please suggest alternatives if appropriate.

4. *Except on approach to a selling point;*

D. The proposal is to change this to 'Except on approach to or at a selling point'.

- This change reflects the proposed change to rule 3. Mobile vendors would be allowed to chime on approach to a selling point, or once when stationary.

Q2D. Are you supportive of this proposed change? Why/Why not? Please suggest alternatives if appropriate.

5. *When in sight of another vehicle which is trading;*

E. No proposed change.

Q2E. Are you supportive of no change on this point? Why/Why not? Please suggest alternatives if appropriate.

6. *When within 50 metres of schools (during school hours), hospitals, and places of worship (on Sundays and other recognised day of worship);*

F. No proposed change.

Q2F. Are you supportive of no change on this point? Why/Why not? Please suggest alternatives if appropriate.

7. *More often than once every 2 hours in the same length of street;*

G. No proposed change.

- Although no change is proposed, some industry representatives have suggested that this rule be changed to reflect the difference between chiming in industrial estates and business parks (where mobile sandwich vendors in particular might chime to advertise their arrival), and chiming on residential streets. However, no change has been proposed, as attempting to specify areas where chiming is allowed more often than once every 2 hours might lead to greater confusion and therefore greater potential annoyance.

Q2G. Are you supportive of no change on this point? Why/Why not? Please suggest alternatives if appropriate.

8. *Louder than 80 dB(A) at 7.5 metres;**

H. No proposed change.

- This limit was set to prevent the unnecessarily loud sounding of chimes.
- There could be some concerns about this limit in light of other proposed changes e.g. allowing chiming once when stationary.

Q2H. Are you supportive of no change on this point? Why/Why not? Please suggest alternatives if appropriate.

9. *As loudly in quiet areas or narrow streets as elsewhere.*

I. The proposal is to change this to 'As loudly in areas of low background noise or narrow streets as elsewhere'.

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- This change is proposed to remove reference to 'quiet areas' which now have a more formal meaning in policy documents and under the Environmental Noise (England) Regulations 2006 (as amended).

Q2I. Are you supportive of this proposed change? Why/Why not? Please suggest alternatives if appropriate.

REMEMBER:

It is an offence to sound your chimes before 12:00 noon or after 7:00pm

It is an offence to sound your chimes at any time in a way which gives reasonable cause for annoyance.

J. Industry bodies have expressed an interest in a change to the times between which it is an offence to sound your chimes (for example to 'before 10.30am or after 8:00pm').

- This proposal differs from those listed above as it would require a change to section 62 of the Control of Pollution Act itself. As a result, if it were to go ahead, unlike changing the other elements of the Code, it is likely to take some time because a legislative opportunity would need to be identified.
- Pre-consultation with the industry suggest an earlier start time would allow mobile sandwich vendors (in particular) to sell their goods before lunchtime to industrial areas and business parks.
- The industry have also expressed support for a later end time as this is the time of peak ice-cream trade, as well as arguing anecdotally that children's bedtimes are later than they used to be.

Q2Ji. Do you support a change in the times between which it is an offence to sound your chimes? Why/Why not?

Q2Jii. Do you have any evidence to support or reject an earlier start time of 10:30am (or any other earlier time)?

Q2Jiii. Do you have any evidence to support or reject a later end time to after 8:00pm (or any other later time)?

- Furthermore, some industry members have suggested a change to the wording of section 62 of COPA to include the delivery, as well as the sale, of perishable goods.

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This reflects what they report to be an increase in the use of chimes to signal the delivery of goods that have already been paid for (e.g. mobile take-away and pizza vans). This has not been included as a specific proposal in this consultation, however comments are welcome in Q2Jiv.

Q2Jiv. Are there any other changes to section 62 of COPA that you would support? Why?

Q2K. Do you have any data on the potential costs to mobile vendors, local authorities or local residents (e.g. in terms of increased numbers of complaints or levels of annoyance) if these proposals were implemented? Please provide details, including whether the costs apply to an individual proposal, or the cumulative effect of implementing all of the proposals.

Q2L. Do you have any data on the potential benefits to mobile vendors, local authorities or local residents (e.g. in terms of increased sales) if these proposals were implemented? Please provide details, including whether the benefits apply to an individual proposal, or the cumulative effect of implementing all of the proposals.

2.17 Option 3 - Keep the Code but in the form of a non-statutory Industry Code of Practice (led and managed by relevant industry bodies, rather than the Government)

- Pre-consultation suggests that the industry do not support this option. If this is the case this option would not be viable.
- A non-statutory industry-led Code would not be approved by the Secretary of State under section 71 of COPA. Regard would not necessarily have to be had to it in determining whether 'best practicable means' have been employed to minimise annoyance.
- Additionally, local authorities have suggested that the approved status of a Code enhances its effectiveness ([Review of Existing Codes of Practice on Minimising Noise, 2005](#)). Out of court, the status can be referred to when communicating with operators of vans about which noise complaints have been received, or have been observed infringing the terms of the Code. This would be lost with a non-statutory industry-led Code.

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- (N.B. Although an industry-led Code could theoretically be approved by the Secretary of State under section 71 of COPA, it was decided that, in this case, the Government was best placed to gather views from a variety of interested parties on any changes to a statutory Code. A Government approved industry-led Code is therefore not an option in this consultation.)

Q3A. Are you supportive of this option? Why/Why not?

Q3B. Do you have any data on the potential costs to industry bodies, mobile vendors, local authorities or local residents (e.g. in terms of implementing and managing a Code, complaints or levels of annoyance) if this option was taken?

Please provide details.

Q3C. Do you have any data on the potential benefits to industry bodies, mobile vendors, local authorities or local residents (e.g. in terms of sales generated) if this option was taken? Please provide details.

2.18 Option 4 – Remove the code

- There would be no Code of Practice for mobile vendors.
- Mobile vendors may choose to continue to work within the guidelines previously established by the revoked Code but there may be little incentive to do so as there would be no certainty that it would be referred to in determining if a vendor is employing 'best practicable means'.
- Pre-consultation suggests that this is not the industry's preferred option for their vendors as there would be possible greater legal uncertainty if a complaint arose.
- Furthermore, in the above mentioned 2005 review of the Code, 12 of the 14 local authorities responding to a question on the Code's use said that they used the Code, and 9 of the 10 local authorities responding to a question on the Code's effectiveness thought the Code was effective.
- The Code also provides assistance to the courts in determining whether 'best practicable means' have been employed in minimising annoyance. This assistance would be lost if the Code were removed.

Q4A. Are you supportive of this option? Why/Why not?

Q4B. Do you have any data on the potential costs to mobile vendors, local authorities or local residents (e.g. in terms of complaints or levels of annoyance) if this option was taken? Please provide details.

Q4C. Do you have any data on the potential benefits to mobile vendors, local authorities or local residents (e.g. in terms of sales generated) if this option was taken? Please provide details.

2.19 Noise Measurements

The 2005 review of the Code also recommended updating the text in the current Code on how to make noise measurements, in order to update the reference to the British Standard for sound level meters and create consistency with current guidelines related to noise measurement. If the outcome of the consultation is to retain an approved Code (Options 1 or 2), the proposal is to update the text as follows:

- Current Code: *'Noise measurements should be undertaken with a meter which conforms to BS 5969:1981(Type 1) (Specification for sound-level meters) set to the A-frequency weighting and the S-time weighting. The microphone should be at a height of 1.2 metres above the ground, and at a distance of 7.5 metres from the loudspeaker. The microphone should, where necessary, be fitted with a windshield and the meter should be calibrated prior to use.'*
- Proposed updated text: *'Noise measurements should be undertaken with a meter which confirms to BS EN 61672-1:2003(Class 1). The microphone should be at a height of 1.2 – 1.5 metres above the ground if used at ground level. It should be at a distance of 7.5 metres from the loudspeaker. The microphone should be fitted with a windshield and the meter should be calibrated both before and after taking any measurements. The equipment used should also have been calibrated by an independent testing organisation within the previous 2 years. Measurements should be carried out under free-field conditions.'*

Q5. Do you support the proposed change to the text on making noise measurements? Why/Why not?

2.20 General Questions:

Q6. Prior to this consultation did you know that there was a Code of Practice on Noise from Ice-Cream Van Chimes Etc. 1982?

Q7. Prior to this consultation did you think the Code needed changing?

Q8. Prior to this consultation had you experienced annoyance as a result of chiming? (This could be personal experience or witnessed as part of your role as an environmental health practitioner, for example.) Please provide details.

Q9. Which of the four options above would you favour? Why?

Q10. Do you have any additional evidence to support or refute any of the options? Please provide details.

Outcome of the Consultation

2.21 The consultation responses will be evaluated and a summary of the responses received will be published by Thursday 23rd August 2012. Based on the responses the Code will be amended if necessary. It should be noted that to change section 62 of COPA would require a change to primary legislation. As a result, unlike changing the Code, it is likely to take some time because a legislative opportunity would need to be identified.

Annex A: Further detail on ‘best practicable means’

Section 72 of the Control of Pollution Act 1974 (COPA) and section 79(9) of the Environmental Protection Act 1990 (EPA) both state that regard must be had to any relevant provision of a code of practice approved under section 71 of COPA in construing references to ‘best practicable means’. If noise from mobile vendors is found by local authorities to amount to an offence under COPA, or a statutory nuisance under the EPA, whether the vendor can rely upon the defence of ‘best practicable means’ (that is, proving that they have been using the best practicable means to prevent, or to counteract the effects of the noise in causing annoyance or nuisance) may depend upon whether they have been working within the guidelines set out in the Code. The Code also forms an aid to the courts’ interpretation of ‘best practicable means’ in minimising annoyance for this particular source.

Section 72 of COPA provides as follows:

“Best practicable means”.

(1) This section shall apply for the construction of references in this Part of this Act to best practicable means.

(2) In that expression “practicable” means reasonably practicable having regard among other things to local conditions and circumstances, to the current state of technical knowledge and to the financial implications.

(3) The means to be employed include the design, installation, maintenance and manner and periods of operation of plant and machinery, and the design, construction and maintenance of buildings and acoustic structures.

(4) The test of best practicable means is to apply only so far as compatible with any duty imposed by law, and in particular is to apply to statutory undertakers only so far as compatible with the duties imposed on them in their capacity of statutory undertakers.

(5) The said test is to apply only so far as compatible with safety and safe working conditions, and with the exigencies of any emergency or unforeseeable circumstances.

(6) Subject to the preceding provisions of this section, regard shall be had, in construing references to “best practicable means”, to any relevant provision of a code of practice approved under the preceding section.

Section 79(9) of EPA provides as follows:

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In this Part “best practicable means” is to be interpreted by reference to the following provisions—

(a) “practicable” means reasonably practicable having regard among other things to local conditions and circumstances, to the current state of technical knowledge and to the financial implications;

(b) the means to be employed include the design, installation, maintenance and manner and periods of operation of plant and machinery, and the design, construction and maintenance of buildings and structures;

(c) the test is to apply only so far as compatible with any duty imposed by law;

(d) the test is to apply only so far as compatible with safety and safe working conditions, and with the exigencies of any emergency or unforeseeable circumstances;

and, in circumstances where a code of practice under section 71 of the Control of Pollution Act 1974 (noise minimisation) is applicable, regard shall also be had to guidance given in it.

Annex B: Summary of Questions

Please provide evidence to support your responses where possible.

Option 1 – Keep the Code as it is (i.e. make no changes)

Q1A. Are you supportive of this option? Why/Why not?

Q1B. Do you think that the Code causes any problems in its current state?

Q1C. Do you have any data on the current costs to mobile vendors, local authorities or local residents (e.g. in terms of complaints or levels of annoyance) as a result of the current Code? Please provide details.

Q1D. Do you have any data on the current benefits to mobile vendors, local authorities or local residents (e.g. in terms of sales generated) as a result of the current Code? Please provide details.

Option 2 – Keep the Code but make it less restrictive (i.e. make changes to the suggested rules for sounding chimes)

Do not sound chimes

1. For longer than 4 seconds at a time;

A. The proposal is to change this to ‘For longer than 12 seconds at a time’.

Q2A. Are you supportive of this proposed change? Why/Why not? Please suggest alternatives if appropriate.

2. More often than once every 3 minutes;

B. The proposal is to change this to ‘More often than once every 2 minutes’.

Q2B. Are you supportive of this proposed change? Why/Why not? Please suggest alternatives if appropriate.

3. When the vehicle is stationary;

C. The proposal is to change this to ‘More than once when the vehicle is stationary’.

Q2C. Are you supportive of this proposed change? Why/Why not? Please suggest alternatives if appropriate.

4. Except on approach to a selling point;

D. The proposal is to change this to 'Except on approach to or at a selling point'.

Q2D. Are you supportive of this proposed change? Why/Why not? Please suggest alternatives if appropriate.

5. When in sight of another vehicle which is trading;

E. No proposed change.

Q2E. Are you supportive of no change on this point? Why/Why not? Please suggest alternatives if appropriate.

6. When within 50 metres of schools (during school hours), hospitals, and places of worship (on Sundays and other recognised day of worship);

F. No proposed change.

Q2F. Are you supportive of no change on this point? Why/Why not? Please suggest alternatives if appropriate.

7. More often than once every 2 hours in the same length of street;

G. No proposed change.

Q2G. Are you supportive of no change on this point? Why/Why not? Please suggest alternatives if appropriate.

*8. Louder than 80 dB(A) at 7.5 metres;**

H. No proposed change.

Q2H. Are you supportive of no change on this point? Why/Why not? Please suggest alternatives if appropriate.

9. *As loudly in quiet areas or narrow streets as elsewhere.*

I. The proposal is to change this to ‘As loudly in areas of low background noise or narrow streets as elsewhere’.

Q2I. Are you supportive of this proposed change? Why/Why not? Please suggest alternatives if appropriate.

REMEMBER:

It is an offence to sound your chimes before 12:00 noon or after 7:00pm

It is an offence to sound your chimes at any time in a way which gives reasonable cause for annoyance.

J. Industry bodies have expressed an interest in a change to the times between which it is an offence to sound your chimes (for example to ‘before 10:30am or after 8:00pm’).

Q2Ji. Do you support a change in the times between which it is an offence to sound your chimes? Why/Why not?

Q2Jii. Do you have any evidence to support or reject an earlier start time of 10:30am (or any other earlier time)?

Q2Jiii. Do you have any evidence to support or reject a later end time to after 8:00pm (or any other later time)?

Q2Jiv. Are there any other changes to section 62 of COPA that you would support? Why?

Q2K. Do you have any data on the potential costs to mobile vendors, local authorities or local residents (e.g. in terms of increased numbers of complaints or levels of annoyance) if these proposals were implemented? Please provide details, including whether the costs apply to an individual proposal, or the cumulative effect of implementing all of the proposals.

Q2L. Do you have any data on the potential benefits to mobile vendors, local authorities or local residents (e.g. in terms of increased sales) if these proposals were implemented? Please provide details, including whether the benefits apply to an individual proposal, or the cumulative effect of implementing all of the proposals.

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Option 3 – Keep the Code but in the form of a non-statutory Industry Code of Practice (led and managed by relevant industry bodies, rather than the Government)

Q3A. Are you supportive of this option? Why/Why not?

Q3B. Do you have any data on the potential costs to industry bodies, mobile vendors, local authorities or local residents (e.g. in terms of implementing and managing a Code, complaints or levels of annoyance) if this option was taken? Please provide details.

Q3C. Do you have any data on the potential benefits to industry bodies, mobile vendors, local authorities or local residents (e.g. in terms of sales generated) if this option was taken? Please provide details.

Option 4 – Remove the Code

Q4A. Are you supportive of this option? Why/Why not?

Q4B. Do you have any data on the potential costs to mobile vendors, local authorities or local residents (e.g. in terms of complaints or levels of annoyance) if this option was taken? Please provide details.

Q4C. Do you have any data on the potential benefits to mobile vendors, local authorities or local residents (e.g. in terms of sales generated) if this option was taken? Please provide details.

Noise Measurements

Q5. Do you support the proposed change to the text on taking noise measurements? Why/Why not?

General Questions

Q6. Prior to this consultation did you know that there was a Code of Practice on Noise from Ice-Cream Van Chimes Etc. 1982?

Q7. Prior to this consultation did you think the Code needed changing?

**Q8. Prior to this consultation had you experienced annoyance as a result of chiming?
(This could be personal experience or witnessed as part of your role as an environmental health practitioner, for example.) Please provide details.**

Q9. Which of the four options above would you favour? Why?

Q10. Do you have any additional evidence to support or refute any of the options? Please provide details.