North Warwickshire
Borough Council

ANTI SOCIAL BEHAVIOUR & HOW WE RESOLVE IT

This guide gives information about anti-social behaviour, how we can act together to stop it, and what actions we use for our properties.

OUR COMMITMENTS

We expect a reasonable level of tolerance between neighbours. Anti social behaviour covers a range of behaviours from low level nuisance to serious harassment. We will make a fair evaluation of a complaint and are committed to the following standards when we respond to a complainant.

- We will act promptly to investigate a report about anti social behaviour
- We will provide a dedicated point of contact for the complainant
- We will seek to understand the impact on the complainant
- We will confirm our intended response in writing
- We will be proactive in contacting the complainant
- We will provide regular updates (at least every 10 working days)
- Where helpful, we will work with other agencies to find a resolution
- Resolutions will be agreed in discussion with the complainant
- A case will be closed in agreement with the complainant if there are no further incidents or no further contact is made by the complainant

OUR TENANCY SERVICES TEAM

The Tenancy Services Team acts to ensure that tenancy conditions are maintained and estates where we have homes are nice places to live.

We work with Council tenants so that they understand and abide by the terms of their tenancy agreement. Sometimes we work in partnership with other agencies to enforce tenancy conditions but most of the time it is the dedicated Tenancy Services Officer that takes any action required.

All our tenants have agreed to abide by their conditions of tenancy. The written tenancy agreement states a tenant's responsibilities for their conduct and that of others. Tenants are responsible for:

- Ensuring they and their household behave reasonably
- Ensuring visitors to their home behave appropriately
- Respecting their neighbours and local community
- Reporting anti-social behaviour when it occurs

Our Neighbourhood Team is proactive in keeping our blocks of flats clean and tidy and free from the signs of anti social behaviour. We work with other Council services to keep the estates on which we have homes in good order and free from signs of anti social behaviour such as fly tipping or abandoned vehicles.

TAKING ACTION

If you or someone you know is suffering because of anti social behaviour tell us. Our Tenancy Service Team is on hand to help resolve it. We are not all the same and we have different lifestyle choices. This guide provides information about what sort of behaviour we can take action against.

WHAT IS CONSIDERED ANTI-SOCIAL BEHAVIOUR?

The term 'anti-social behaviour' is usually regarded as conduct which causes alarm, distress or nuisance to others. This includes conduct that affects neighbours but can also include the wider community. It is disruptive and can be distressing.

Nuisance is the interference with someone's right to the 'quiet enjoyment of their home' and is harmful or annoying to others. Some examples include:

- Verbal abuse
- Harassment
- Intimidation
- Drug taking or dealing
- Litter/rubbish/fly tipping
- Misuse of common areas
- Loud persistent noise
- Threatening behaviour
- Physical violence
- Vandalism
- Hate crime
- Graffiti
- Domestic abuse
- Not controlling the behaviour of pets (owning banned dog breeds)

WHAT IS NOT CONSIDERED ANTI SOCIAL BEHAVIOUR

We expect neighbours to respect others' right to enjoy their homes. Some situations which are reported to us are not a breach of tenancy conditions or classed as the sort of behaviour for which we can enforce a resolution. Some examples include:

- A clash of lifestyles and personal disputes
- Proportionate day to day household noise
- Parking and boundary issues
- Everyday activities noise for example from domestic appliances or children playing
- DIY or home improvements after 8:00 am and before 9:00 pm
- Garden maintenance during daytime hours
- A one off party or celebration

NOISE NUISANCE

We understand that noise from neighbours can be annoying. For noise to be considered a nuisance behaviour it has to be proven to be persistent over time. Perpetrators may not realise they are noisy neighbours. Commonly complainants tell us that they are disturbed by:

- Loud music or television
- Barking or howling dogs
- Noisy domestic activities - sometimes at unreasonable times
- Shouting, swearing and arguing
- Loud banging or doors slamming

If the noise is constant and excessive the Council can take action but sometimes the nuisance can be resolved by the complainant approaching their neighbour to tell them it is disturbing them.

A friendly approach might resolve the problem amicably, when getting the Council involved could have a negative response. Some people don't realise how far noise travels or how much it can impact others.

If it is safe to do so we advise you to wait until the noise has stopped and speak to your neighbour, in a calm and friendly manner.

We don't expect you to have to put up with excessive noise, but talking to neighbours first can often stop and prevent a long-term noise problem.

CRIMINAL BEHAVIOUR

Most of the anti social behaviour or nuisance that is reported to us can be resolved by our Tenancy Services Team. They take action based on information provided by the complainant. Unfortunately sometimes the behaviour we are told about is criminal and we have to act in a specific way and work closely with the Police. Some examples are shared in this section.

Hate crime is a serious form of anti social behaviour. It is defined as a criminal offence which is perceived by the victim or any other person to be motivated by hostility or prejudice. This could be because of their disability, race, religion, sexual orientation or transgender identity. We will make a distinction between reports of a general anti-social behaviour and hate crime. Reports of hate crime are treated as a high priority.

There is some specific anti social behaviour that is recognised nationally and can happen locally if we are not vigilant. **Cuckooing/County Lines** is when a drug dealer takes over the home of a person to use it as a base for drug dealing. Signs of 'cuckooing' can be more people than normal going into someone's house, people calling in at all times of day and night, different cars pulling up outside the house and not staying long, strangers who block off the doors and windows to the house.

Domestic abuse is when someone personally connected to the complainant has behaved abusively towards them and includes physical or sexual abuse, violent or threatening behaviour, controlling or coercive behaviour or psychological or emotional abuse.

HOW WE RESPOND

When we receive a complaint about anti social behaviour we consider the information provided, make enquiries and decide on a course of action dependent on the type of problem we are told about.

We offer clear information to the complainant about what we need from them and what we can do.

We give the complainant a named officer to contact and keep them regularly informed until the matter is resolved.

WORKING TOGETHER

If you notice or experience anti social behaviour, please report it. We want to act quickly to resolve it before it escalates.

You can report it in a way that suits you - in writing, over the phone, by email or on our website. When you contact us please tell us when the incident happened, who was involved, what happened and how it affected you or others.

All reports are treated confidentially, and information is shared with the consent of the complainant.

INFORMATION

To resolve a problem of anti social behaviour the Council needs to collect information about what is happening and when. We ask complainants to keep a careful record of incidents and share them with us. It is important that we are told about serious or ongoing problems as soon as possible.

SUPPORTING VICTIMS AND WITNESSES

We understand that it is difficult when someone experiences anti social behaviour. Our Tenancy Services Team will support victims by providing a dedicated officer to support them and keep them informed. We can also work with specialist agencies who can offer emotional support, security advice or help with collecting evidence.

COMMUNICATION

To tell help with communication we can now offer our 'ASB App'. It is an easy way for the complainant to send information to their Tenancy Services Officer by using an App that is downloaded onto their smartphone.

It facilitates audio for up to 30 seconds at a time and as well as recording the noise the complainant can send information about the incident – including pictures.

Tenancy Services Officers will promote the App for those that wish to use it and help to set it up.

RESPONSE TIMES

When we receive a report about anti social behaviour we acknowledge it and respond in our agreed timescales. Please see the table below.

Our initial response is based on an assessment following a report and may change as more information is received. We also consider whether the complainant has circumstances that make them vulnerable.

Case severity	Examples of behaviour	Initial response times
Standard Risk	Nuisance activity caused by noise, pets, condition of the garden or litter/rubbish/ fly tipping or graffitti in the neigbourhood.	Within 5 working days
Medium risk	Activity that could cause harm such as drug use or supply or low level criminal activity.	Within 3 working days
High Risk (including matters where there is a genuine risk of physical or psychological harm)	Conduct that is a serious risk of harm such as harassment; intimidation; threatening behaviour; physical violence; hate crime; domestic abuse.	Within 24 working hours

ACTIONS WE CAN TAKE

When we have evaluated the complaint we have a range of actions we may take. We can:

- Issue warning letters based on tenancy conditions
- Arrange mediation between neighbours
- Legal action to enforce tenancy conditions
- Serve Community Protection Warnings or Notices
- Take legal action such as applying for an injunction
- Serve Acceptable Behaviour Agreements
- Legal action that may lead to eviction
- Work with the Police and/or other agencies

PARTNERSHIP WORKING

The Housing Division works closely with the Police, the Council's Community Safety Team and other agencies to address particular issues of concern where there might be criminal behaviour or a wider community safety risk.

This means that some cases are considered at a multi agency meeting of professionals. The intention is to work together to address problems and find solutions.

If someone has been the victim of persistent anti social behaviour and it has not been resolved or the complainant is not satisfied with the actions of the agencies concerned they have a right to request a review of their case. In Warwickshire a case review has been agreed as being when the following thresholds have been met:

An individual has reported three separate incidents (to any agency) relating to the same problem in the past six months to the Council, Police or their landlord, and feel that insufficient action has been taken to resolve the matter.

OR

At least three people have made reports about the same problem in the past six months to the Council, Police or their landlord and feel that insufficient action has been taken to resolve the matter.

For advice or to report on anti-social behaviour caused by Council Tenants you can contact North Warwickshire Borough Council Housing Division. All reports will be treated confidently.

Contact the Council on: 01827 715341

We also encourage you to report criminal behaviour to **Warwickshire Police**:

Emergency call **999**

Non-emergency call **101**

Crimestoppers anonymously on **0800 555 111** or visit **crimestoppers-uk.org/**

Find more information and alternative ways to contact Warwickshire Police visit **police.uk/pu/contact-us/**

If you have a hearing or speech impairment, use our textphone service **18000** or text us on **999** if you've pre-registered with the **emergencySMS** service.

How to make a silent 999 call

If you're in danger, call 999 and try to speak to the operator if you can, even by whispering. You may also be asked to cough or tap the keys on your phone to answer questions.

If you don't speak or answer questions, press 55 or tap when prompted and your call will be transferred to the police. The police will usually be able to find your location.

CONTACT US

Email: housingservices@northwarks.gov.uk

Telephone: 01827 715341 (between 8.30am and 5pm, Monday to Friday)

Out of Hours Emergency Repairs Telephone: 01827 715341 (calls will be directed to the lifeline centre which is manned 24 hours a day)

Write to: Housing Division North Warwickshire Borough Council, South Street, Atherstone, Warwickshire, CV9 1DE

Website: www.northwarks.gov.uk