

Your tenancy your home

Dealing with antisocial behaviour

A guide



NORWICH
City Council

Tenant
approved

This leaflet tells you what to do if you experience antisocial behaviour. It also explains how we deal with reports of antisocial behaviour.

It is aimed at tenants, leaseholders and people who have purchased homes once owned by the council ie through the Right To Buy scheme.

It may apply to you if you do not fall into one of the above categories but are affected by the behaviour of someone who does.

What is antisocial behaviour?

This is behaviour that causes, or is likely to cause, harassment, alarm or distress to one or more people not of the same household as the person responsible. It is behaviour that unreasonably interferes with other people's rights to use and enjoy their home and community.

This may include things such as:

- noise
- intimidation or harassment
- aggressive and threatening language or behaviour
- vandalism

- nuisance caused by vehicles – such as where they are parked or the way repairs are being carried out
- nuisance caused by pets – for example barking or fouling
- hate related abuse or harassment (see page 5).

The council also regards certain other behaviour by its tenants as antisocial including failure to maintain or inappropriate use of gardens, misuse of common areas and using accommodation for unlawful purposes.

Our approach to antisocial behaviour

Norwich City Council does not tolerate antisocial behaviour.

We are committed to stamping it out and demonstrated this by signing up to the government's Respect Standard in 2006. Signing up to this standard means we have agreed to, among other things, deal with antisocial behaviour swiftly and in a way which is supportive to the victims and witnesses.

Initially we will look at dealing with reports of antisocial behaviour through prevention such as mediation (see page 6). When appropriate we will take action to enforce breaches of tenancy conditions and we work with a number of other partner agencies including the police to use the full range of tools and powers available to reduce the impact of antisocial behaviour in your neighbourhoods.

We can also arrange support for people who seek to change behaviour that is having an impact on the lives of others and if they face the risk of eviction as a result.

Your responsibilities

Everyone is entitled to enjoy their home in peace. There are things that you can do to keep

good relations with your neighbours.

- Be considerate towards your neighbours when you are doing something noisy. Let them know before you start and try to avoid making noise when people are likely to be sleeping.
- Consider the position of your sound system, how loud your television is and the effect of walking around on uncarpeted floors, as noise carries easily through walls, floors and doors.
- Co-operate if a neighbour asks you to reduce noise.
- Try to be tolerant to your neighbours if they have a different lifestyle from yours.
- Don't use your property for illegal purposes such as drug dealing.
- Don't harass people in any way.
- Don't use violent or abusive language or behave in such a way.

Your tenancy agreement, lease or deed of covenant will set out certain obligations. Please refer to these for further information.

If you report antisocial behaviour to us, please keep in contact with us while we investigate your complaint. If the antisocial behaviour is ongoing we may ask you to complete nuisance log sheets. These will enable us to assess the severity of the problem and they may also be used as evidence if legal action becomes necessary.

If you do not stay in contact with us, we may stop investigating your complaint and close the case.

Reporting antisocial behaviour

If you are suffering from antisocial behaviour and know who is causing the problem, try to talk to them (or, if the person is under 18 talk to their parent/s). Often a friendly chat can quickly resolve any problems you may be experiencing. Some examples of low level neighbour nuisance this may apply to are loud music or TV, door banging, pets, DIY, inconsiderate use of common areas.

Most problems can be solved amicably. While you may feel nervous about approaching your neighbour, they may

genuinely be unaware they are causing a problem. They may be embarrassed and more considerate in the future.

Before you approach your neighbour, prepare what you are going to say to them. Stay calm and remain pleasant about the matter and they will be more likely to respond well to your complaint. Avoid getting into an argument. If they will not be reasonable, stop the discussion and walk away.

Try to avoid approaching your neighbour when the nuisance is actually occurring as you are more likely to have an argument.

Give your neighbours a reasonable period of time to change their behaviour, then let them know if things haven't improved.

It is important to consider your personal safety. If you are worried or intimidated by their behaviour then approaching them may not be the best option for you. In this instance, or if you have not been able to resolve the problem by talking to your neighbour you may wish to contact the council.

You can report antisocial behaviour:

- by phoning the 24 hour antisocial behaviour hotline on 01603 212100 or contacting the customer contact team on 0344 980 3333 Monday to Friday between 8am and 6pm
- in person at City Hall or any Neighbourhood Office
- by writing to us at Antisocial behaviour, City Hall, Norwich, NR2 1NH
- by emailing us at asb@norwich.gov.uk

You could also get advice from The Citizens Advice Bureau or a solicitor.

If you have been threatened or assaulted dial 999 and report it to the police immediately.

Hate crimes and incidents

A hate incident is any incident that is perceived by the victim or any other person as being motivated by prejudice or hatred towards a person because of their:

- cultural, ethnic, national or racial origin
- religion

- sexual orientation
- gender or gender identity
- age
- disability.

A hate crime is any hate incident that constitutes a criminal offence.

For more information please see our leaflet *Dealing with hate crime and incidents*.

The action we can take

We will:

- contact you to discuss the matter in full and gather as much information as possible
- agree an action plan with you, which your neighbourhood housing officer will give you a copy of
- contact the person who is causing the problem, if you give us your permission to do so. If you ask us not to contact you or the person causing the problem, we may not be able to deal with the problem
- keep your details confidential at this stage, so the person who you have reported will not know it was you who complained

- keep you updated and let you know the outcome of the meeting or discussion we have with the person causing the problem. Hopefully this will resolve the situation.

If we feel that the problem is a personal dispute between you and your neighbour, we may not take any action except suggest that you both consider mediation in order to resolve the matter.

If further action is necessary, we will usually consider a combination of methods to deal with the problem before resorting to legal action. These include:

- mediation – a voluntary agreement reached by two or more parties in dispute with the help of a trained mediator
- referring to a support agency who may be able to help the person causing the problem change their behaviour
- working with partner agencies such as the police to address the issue
- writing a warning letter to the person responsible
- an Acceptable Behaviour Contract (ABC) – a voluntary

contract between the person responsible, the council and the police to agree not to behave in a certain way in the future.

If the antisocial behaviour continues, the case may be referred to the antisocial behaviour and tenancy enforcement (ABATE) team to consider whether legal action is necessary.

Legal action can depend on having evidence that a problem is happening and you may be asked to personally give evidence in court. We will also consider whether we can use CCTV or sound recording equipment to support the case as additional evidence.

Legal action could include a combination of the list below.

- Possession Order (against council tenants) – a judge listens to the evidence and decides whether to give the council possession of the responsible person's property and evict them.
- Demotion Order – a legal order that removes council tenant security and rights for 12 months and gives the

council guaranteed possession if the order is breached.

- Injunction – a court order that requires someone to do or stop doing something. Breaking an injunction is contempt of court and can result in a fine or prison sentence.
- Antisocial Behaviour Order (ASBO) – a legal order preventing someone from behaving in a particular way and sometimes excludes them from an area.

Witness support

When you report antisocial behaviour to us we will agree with you how we can support you through the process.

Support we can offer includes:

- regular contact with you at agreed times
- arranging warden patrols in your area and or making the police aware of the situation
- the use of CCTV and sound recording equipment to capture evidence to support your case
- the use of injunctions in very serious cases

- the use of an emergency alarm (Linkline) in very serious cases.

There is a separate leaflet called *Antisocial behaviour – The court process*, a guide that explains what support we can give you if you have to attend court.

Closing cases

We will stop investigating a case when the problem has been sorted out and you are happy for us to close it.

Sometimes we will close a case even if you are not happy for us to do so. We will do this if we are satisfied that we have done everything we can that is reasonable and proportionate to the complaint to sort it out.

We will not close a case without telling you and when we do close the case we will write to you and explain the reason.

	What should you do	What will we do
Antisocial behaviour incidents (ASB) requiring an immediate response	<p>In some cases of ASB an immediate response may be required. If this is the case, you should call the ASB hotline on 01603 212100 and describe the issue or incident as well as you can.</p>	<ul style="list-style-type: none"> • When you call the hotline, we will discuss with you whether immediate action is needed and if it is more appropriate for this to be from police or neighbourhood wardens. • For example, incidents involving serious risk of injury or loss of property and crimes in progress should be referred to 999. • Calls requiring use of police powers, such as enforcement of the street drinking ban, use of drugs and violent incidents, and minor crime such as criminal damage, should be made to 0845 456 4567. City centre issues (inside the inner ring road) are also dealt with by police.
General ASB or nuisance in or around your home eg neighbours, garden, stairwells and common areas including unlawful use of property	<ul style="list-style-type: none"> • Consider speaking to the person responsible (see page 4). • Contact the 24-hour ASB hotline. • If you are threatened or assaulted, phone the police 999. • Seek advice from the Citizens Advice Bureau. • If you wish to discuss the matter further with your neighbourhood housing officer please contact the customer contact team. 	<ul style="list-style-type: none"> • An officer from the council will contact you and discuss your problem. • With your agreement the officer will contact the person causing the problem.

What we will ask you to do	Action we can take
<ul style="list-style-type: none"> • Depending on the type of incident you are reporting, where you are calling from or whether an immediate response is needed, we may suggest that you should contact the police. • We will still take any appropriate follow up action afterwards. 	<p>As a housing landlord the council is not required to provide an immediate response to incidents but where possible we will respond as quickly as we can.</p> <p>We will always advise you of the response we are able to provide, when you call.</p>
<ul style="list-style-type: none"> • In order to take appropriate action we need you to work with us. We will discuss the possible solutions to the problem and the evidence or support we will need from you. We will also be as realistic as possible about the actions we can take which must be in proportion to the behaviour. • If the problem continues we may ask you to keep a record of the ASB/nuisance and keep in contact with us. We will not reveal your identity. 	<ul style="list-style-type: none"> • If a problem cannot be resolved by speaking to those responsible the following may happen: <ul style="list-style-type: none"> – Your housing officer will write telling the person to stop causing the nuisance and warning them of the consequences if they don't. – If the problem continues we will provide support and consider a range of solutions including mediation (see page 6). – A last resort legal action may be taken and we may ask you to be a witness in court (see page 6,7). – Ultimately a tenant causing ASB/ nuisance may lose their home. This only occurs in exceptional circumstances.

	What should you do	What will we do
ASB or nuisance in the community eg gangs or vandalism	<ul style="list-style-type: none"> • Contact 24 hour ASB hotline or police. • If you are threatened or assaulted phone the police 999. • If you wish to discuss the matter further with your neighbourhood housing officer please contact the customer contact team. • For ongoing issues consider attending your local Safer Neighbourhood Action Panel (SNAP). Your neighbourhood housing officer will have details of these meetings. 	An officer will contact you and discuss your problem.
Hate related incidents (see page 5)	<ul style="list-style-type: none"> • Contact 24-hour ASB hotline. 	An officer from our specialist antisocial behaviour and tenancy enforcement (ABATE) team will contact you and discuss your problem. This information will be shared with the police and Norfolk and Norwich Race Equality Council.
Statutory nuisance eg loud music, noise from machinery or barking dogs	<ul style="list-style-type: none"> • Contact 24-hour ASB hotline. 	<ul style="list-style-type: none"> • An officer will contact you and discuss your problem. <p>With your agreement, the officer will contact the person causing the problem. It may be necessary for the council to monitor continuing noise.</p>

What we will ask you to do	Action we can take
<p>If the problem continues we may ask you to keep a record of the ASB or nuisance and keep in contact with us.</p>	<p>We will work with our partners such as the police, children's services and other council departments to try to resolve issues in the wider neighbourhood.</p> <p>If you attend your local SNAP, you will have a chance to raise your issue and it will be considered alongside other issues and may be made a priority for extra patrolling and other action.</p>
<p>If the problem continues we will ask you to keep a record of the hate incidents and keep in contact with us.</p>	<ul style="list-style-type: none"> • If a problem cannot be resolved by speaking to those responsible you may be invited to a case conference involving other agencies to agree a way forward. • As a last resort, legal action may be taken and we may ask you to be a witness in court (see page 6,7). <p>While this would only happen in exceptional circumstances, a tenant responsible for hate related behaviour may lose their home.</p>
<p>If the problem continues we will ask you to keep a record of the nuisance and keep in contact with us.</p>	<p>If the council is satisfied that a statutory nuisance exists, an abatement notice may be served on the person responsible.</p> <p>Further legal action could result in seizure of equipment, fines or prosecution.</p>

	What should you do	What will we do
<p>Flytipping</p> <p>This is the leaving of rubbish in an unauthorised place. (In the case of bins left out on the wrong days or untidy communal areas, please contact your neighbourhood housing officer.)</p>	<ul style="list-style-type: none"> • Contact the customer contact team with the following information: <ul style="list-style-type: none"> name address fly tipping details including <ul style="list-style-type: none"> – exact location (type of property/land and if it is in a public or highly visible area) – what rubbish has been tipped – if the rubbish poses an immediate threat to the public – if you saw anyone dumping the rubbish – date and time of the incident – if the rubbish was dumped from a vehicle – if you would you be prepared to be a witness in court, should the council decide to prosecute. 	<p>We will start to investigate all reports of fly tipping within two working days where there is material evidence or there are witnesses to the event.</p> <p>We will remove fly tipping where there is no evidence within two working days.</p>
<p>Graffiti and fly posting</p>	<ul style="list-style-type: none"> • Contact the customer contact team online or by telephone. (Online reporting form available). • When reporting graffiti please give details of: <ul style="list-style-type: none"> name address graffiti / fly posting details: <ul style="list-style-type: none"> – exact location (type of property/land and if it is in a public or highly visible area) – what material has been used for the graffiti – if you saw anyone carrying out this act – date and time of the incident – if you would be prepared to be a witness in court should the council decide to prosecute – if the content of the graffiti or fly posting is offensive. 	<p>We will remove offensive graffiti and fly posters within 24 hours of receiving a report and all other graffiti and fly posters within 14 working days.</p> <p>This is a free service where incidents occur on council owned land and buildings, public areas and highways.</p> <p>Privately owned structures are the responsibility of the land owner and a chargeable removal service may be provided.</p>

What we will ask you to do	Action we can take
	<p>Under the Clean Neighbourhoods and Environment Act 2005, the council may fine anyone committing an environmental crime (one that damages the environment). A fixed penalty notice can be issued, resulting in fines between £60 and £5000.</p> <p>For further details visit the Fixed Penalty Notices section of our website www.norwich.gov.uk</p>
	<p>Anyone caught carrying out acts of graffiti or fly posting will be issued with a fixed penalty notice resulting in fines between £60 and £5000.</p>

	What should you do	What will we do
<p>Abandoned vehicles</p>	<ul style="list-style-type: none"> • Contact the customer contact team online or by telephone. (Online reporting form available). • When reporting details of an abandoned vehicle please give details of: <ul style="list-style-type: none"> – where it is – please give as much detail as possible, for example the name of the street plus the nearest house number, business or lamp post number – the make, model and colour of the car – the registration number. 	<p>On the day the abandoned vehicle is reported the council will contact the police to check the details. By the end of the next working day a council worker will have inspected the vehicle.</p>

What we will ask you to do	Action we can take
	<p>If the vehicle is on the highway or public land and appears to be unroadworthy, a warning notice will be fixed to it stating that if it is not claimed after 24 hours it will be removed.</p> <p>If the vehicle appears roadworthy and is found to be abandoned it will be removed after seven days. If the vehicle is on private land the occupier of the land has 15 days to remove or claim the vehicle before the council can act.</p>

If you require this leaflet in another language or format eg large print, audio cassette or Braille please contact Norwich City Council.

Norwich City Council · City Hall · Norwich · NR2 1NH

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