

Neighbour nuisance and anti-social behaviour: advice for council tenants

What is neighbour nuisance?

Wiltshire Council's tenancy conditions set out a nuisance as any action that is likely to disturb or annoy your neighbours.

It is important to be a 'good neighbour' and to show consideration to others. If your neighbours are causing a nuisance, it is better to speak tactfully about your concerns, explaining how their behaviour is affecting you. Most people are reasonable and may be unaware that an issue has occurred until it has been brought to their attention in a friendly manner.

What if I cannot speak to my neighbours?

Sometimes discussion may not be sufficient to resolve the issue. In these cases, there is a range of options to follow:

If your neighbours are also council tenants:

Wiltshire Council's tenancy agreements prohibit *'anything which is likely to cause nuisance, annoyance or disturbance to your neighbours. This includes:*

- *playing loud music*
- *arguing and door slamming*
- *dog barking and fouling*
- *offensive drunkenness*
- *selling drugs and drug abuse*
- *dumping rubbish*
- *playing ball games close to someone else's home*
- *using foul and abusive language.*

In these cases, you should report the issue to your Neighbourhood Manager.

We will:

- assess every case for priority when a complaint is first received and contact both the complainant and the alleged source of nuisance within five working days and within 24 hours in the most serious cases

- ensure that any case involving hate crime or racial harassment is referred immediately to the police, as well as making our own investigations (please see our 'Hate crime and harassment' leaflet)

Your neighbourhood officer can arrange for mediation between you and your neighbour and, if the situation requires it, can supply you with diary sheets to record evidence about your neighbour's behaviour in order to build a case for further action. While the council will always try to resolve nuisance problems through mediation, in extreme cases there are legal options available, such as Possession Orders.

Where a notice is served or proceedings taken about nuisance, tenants and members of their household may be **prevented** from transferring and, if they leave the property, may be **barred** from the council's waiting list.

If your neighbours are not council tenants:

If your neighbour is a council leaseholder, the council can still provide advice, and you should contact your neighbourhood officer who will advise you how to proceed. If your neighbour is the tenant of a housing association or registered social landlord, it is likely that their tenancy conditions also prohibit causing nuisance, and you should contact the housing association or registered social landlord for advice. If your neighbour is a private tenant or home owner, the council's anti-social behaviour reduction officer can help you (contact details at the end of this factsheet). In such cases, it is a good idea to keep a record of the nuisance incidents, and of any contact between yourself and your neighbour.

What is anti-social behaviour?

Anti-social behaviour (ASB) can be a real issue for some communities. The Crime and Disorder Act (1998) defines ASB as behaving in a manner that *'caused or is likely to cause harassment, alarm and distress to one or more persons not of the same household.'*

Wiltshire Council Housing Management is signed up to the government's Respect Standard and is committed to tackling anti-social behaviour and its causes.



ASB can include:

- Harassment/ intimidation
- Verbal abuse
- Criminal damage
- Graffiti and vandalism
- Persistent noise nuisance
- Substance misuse
- Assault
- Vehicle related nuisance

ASB is not:

- Children playing in the street or communal areas
- Young people gathering socially - unless they are being intimidating to individuals
- Being unable to park outside your own home
- DIY and car repairs- unless these are taking place late at night
- Civil disputes between neighbours e.g. shared driveways
- One-off complaints of noise nuisance e.g. one-off parties.

There are a number of tools and powers available to tackle anti-social behaviour. These include:

- Warning letters to perpetrators of anti-social behaviour
- Joint visits with police and other partners
- Acceptable Behaviour Contracts (ABC) - A voluntary agreement between a person, the council and/or the police. The person agrees to stop the anti-social behaviour; in return a support package can be tailored to the individuals needs
- Civil Injunctions - these may prohibit an individual from entering an area or carrying out specified types of behaviour
- Dispersal powers - where the police can move people on in groups of more than two people acting in an anti-social manner.

Wiltshire Council works with partners to put sustainable solutions in place, to prevent anti-social behaviour from happening in the first place. Following this the council will support individuals and groups to change their behaviour. We only use enforcement as a final measure.

How the council works to tackle ASB

Wiltshire Council has a small team of community safety professionals dedicated to tackling community safety issues, plus those dedicated to tackling anti-social behaviour. The officers work with a number of services across the council, including Environmental Services, Services for Young People, Department of Children and Families, Education and Community Development. The main role of the anti-social behaviour team is to co-ordinate a response to anti-social behaviour, by using their problem solving skills and their extensive knowledge of services to ensure every organisation that can provide solutions is involved.

Before you report an incident of anti-social behaviour it helps if you have as much information as possible to give to those who may be able to resolve the situation. To help, you can download a log sheet from the council's community safety web pages at www.wiltshire.gov.uk/antisocialbehaviour or obtain one from your neighbourhood officer and record any information relating to a person or persons whose behaviour is causing you alarm, harassment or distress. You can also report incidents online at www.wiltshire.gov.uk/asbreporting and details will be passed to your neighbourhood officer.

We will:

- promote estate walkabouts with tenants' representatives to identify areas for improvement
- maintain a database to record all significant reports of anti-social behaviour affecting our tenants

- make contact with complainants within 5 days of their complaint and keep them informed at least every 4 weeks
- remove graffiti within five working days; racist, homophobic or other offensive graffiti will be removed within 24 hours
- seek to remove abandoned vehicles quickly within the permitted timescales
- seek to remove any dumped rubbish or appliances within five working days
- take firm action where necessary to control anti-social behaviour, including the use of injunctions, acceptable behaviour contracts, parenting orders and tenancy enforcement such as demotion of tenancy and seeking possession anti-social behaviour orders.

Useful contacts

In emergency situations call 999

Contact **Wiltshire Police** on 101 regarding vehicle nuisance, groups intimidating others, substance abuse and drug dealing, street drinking/drunkenness, domestic abuse, harassment/hate crime, physical aggression, criminal activity.

Contact **Wiltshire Fire and Rescue** on 01722 439300 for fire-related incidents of anti-social behaviour or arson.

Contact your **Neighbourhood Officer** on 0300 456 0117 (option 4) who will listen to your concerns regarding your neighbours, discuss with you the options and agree an action plan.

Contact your **Anti-social Behaviour Reduction Officer** on 0300 456 0117 (option 4). Their role is to support communities in standing up to anti-social behaviour.

Different **Wiltshire Council departments** can be contacted on 0300 456 0100 and offer help with specific issues such as littering, dumping rubbish, graffiti, dog fouling, noise nuisance, abandoned vehicles.

Report incidences of anti-social behaviour online at www.wiltshire.gov.uk/asbreporting

Write to us: Wiltshire Council Safer Communities, County Hall, Bythesea Road, Trowbridge BA14 8JN
Wiltshire Council Housing Management, Council House, Bourne Hill, Salisbury SP1 3UZ

Visit us: Wiltshire Council Housing Management, Council House, Bourne Hill, Salisbury SP1 3UZ

Email: hsgmail@wiltshire.gov.uk

Information about Wiltshire Council services can be made available on request in other languages including BSL and formats such as **large print** and audio. Please contact the council by telephone **0300 456 0100**, by textphone 01225 712500, or email customerservices@wiltshire.gov.uk

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